

Impact case study (REF3)

Institution: Ulster University		
Unit of Assessment: Social Work and Social Policy (20)		
Title of case study: Abortion Law Reform: changing attitudes and influencing policy		
Period when the underpinning research was undertaken: 2014 - 2020		
Details of staff conducting the underpinning research from the submitting unit:		
Name(s):	Role(s) (e.g. job title):	Period(s) employed by submitting HEI:
Dr Fiona Bloomer	Senior Lecturer, Social Policy	2010 - present
Prof Ann Marie Gray	Professor of Social Policy	1995 - present
Ms Goretti Horgan	Lecturer, Social Policy	2003 - present
Period when the claimed impact occurred: 2014 – 2020		
Is this case study continued from a case study submitted in 2014? N		
<p>1. Summary of the impact</p> <p>Research on abortion at Ulster University directly contributed to policy and legislative reform and the development of abortion services in Northern Ireland. This impact was achieved in the context of an environment hostile to reform, where the political and religious discourse challenged the need for change. The research:</p> <p>I1: Impacted directly on the development of new legislation the 2019 Executive Formation Act</p> <p>I2: Influenced policymakers' and parliamentarians' views about the issues and concerns regarding access to abortion services</p> <p>I3: Directly impacted the content of Inquiry Reports by the Westminster Women and Equalities Committee and Convention on Elimination of all forms of Discrimination Against Women (CEDAW) Committee, both pivotal to legislative change</p> <p>I4: Influenced the development of abortion services</p> <p>I5: Stimulated media coverage and public and policy debates which helped challenge the prevailing discourse</p> <p>I6: Influenced and enhanced the campaigning work and impact of NGOs</p>		
<p>2. Underpinning research</p> <p>The 1967 Abortion Act was never extended to Northern Ireland (NI). During the decades of Direct Rule, Westminster failed to ensure appropriate local provision or to provide women with NHS abortions in Britain. The local political environment ensured a political "moral regime" where large sections of society, from all religious denominations, were hostile to change. In 2008, when there was an attempt to extend the '67 Act to NI, leaders of the four main political parties in the NI Executive wrote to every MP claiming to represent the views of the overwhelming majority of local people in opposing abortion.</p> <p>The main churches coalesced around opposition to abortion in any circumstances. There was little academic evidence to challenge this or systematic insight into the reality for women needing to access abortion services. Against this hostile environment, work by the authors since 2014 produced important and original evidence-based research insights on public attitudes to abortion and the nature of harm experienced by women forced to access abortion illegally or to travel outside of the jurisdiction.</p> <p>Undermining rights</p> <p>Horgan and O'Connor's research (R1) was critical in establishing the impact of the hostile environment on abortion rights and on the exercise of fundamental citizenship rights for women in NI, in contrast to the women elsewhere in the UK. It demonstrated how the nature of governance in NI impairs women's rights to full social and political participation.</p> <p>Public attitudes</p>		

Gray and Horgan's research on attitudes to abortion was conducted via the NI Life and Times Survey as part of an ESRC funded body of work on abortion in 2016 and 2018 (**R2**). The findings showed significant public support for reform of abortion law in NI and strong opposition to criminalisation, challenging the current political and religious narrative. Importantly, it also provided evidence that there was support for reform across supporters of all political parties.

Political discourse

R3 and **R4** are part of a body of work undertaken by Bloomer et al between 2014 and 2018 which identified trends in abortion travel, critiqued abortion policy and considered human rights arguments, while **R5** (Horgan and Whitaker) explored the manner in which the 'moral regime' interacted with the consociational nature of governance in NI to make change in relation to abortion rights virtually impossible. It also identified the influence of religiosity and morality on debate and how the discourse impacted on the stigmatisation of women.

Abortion as a workplace issue

R4 contains findings on the first study globally of abortion as a workplace issue. Findings showed that abortion stigma in workplaces contributes to isolation and lack of disclosure; that women return to work too quickly after having an abortion as they are unable to obtain sick pay/sick leave. The innovative research design, comprising the use of asynchronous online focus groups, ensured access across Ireland (North and South) and within workplaces with varying shift patterns.

Social harms of the criminalisation of abortion

With support of an ESRC grant, **R6** (Horgan) investigated NI women's experiences of obtaining abortion pills through the internet. Findings showed that uptake of this risky activity (in both medical and criminal terms), was a direct consequence of the legal position. They demonstrated *for the first time* how criminalisation of abortion acutely damages women's mental, and potentially physical, health and does not act as a deterrent, and highlighted an urgent need for a policy response and for abortion services to be provided in NI. This was a challenging issue to address ethically and in terms of recruitment to the study.

3. References to the research Outputs can be supplied by Ulster University on request.

R1: Horgan, G. and O'Connor, J.S. (2014). Abortion and Citizenship Rights in a Devolved Region of the UK. *Social Policy and Society*, 13 (1), pp.39-49.

R2: Gray, A.M. and Wellings, K. (2020) 'Is Public Opinion in Support of Decriminalisation of Abortion in the UK?' in S. Sheldon and K. Wellings *Decriminalising Abortion in the UK*, Bristol: Policy Press (supported by ESRC Transformative Research Programme, *Buying abortion through the internet; exploring the social harm of criminalising abortion in Northern Ireland and the UK*. April 2016 to April 2018, GBP199,849).

R3: Pierson C. and Bloomer F. (2018) Anti-abortion myths in political discourse. In: McQuarrie C., Pierson C., Bloomer F., Shettner, S. (editors), *Crossing Troubled Waters: Abortion in Ireland, Northern Ireland, and Prince Edward Island*, Prince Edward Island: Prince Edward University Press (supported by a grant from Royal Academy / Leverhulme Trust Small Grant, April 2015 to March 2016, GBP9,977).

R4: Bloomer, F.K., Pierson, C. & Estrada Claudio, S. (2018). *Reimagining global abortion politics: A social justice perspective*. Bristol: Policy Press. (supported by grant from the Department for the Economy 'Tackling Girls and Young Women's Reproductive Health through a Reproductive Justice Framework', April 2017 to March 2018, GBP20,000)

R5: Horgan, G. and Fox, M. (2020). 'The Effects of Decriminalisation in NI', in S. Sheldon and K. Wellings *Decriminalising Abortion in the UK*, Bristol: Policy Press (op. cit.) (ESRC funded, as R2 above)

R6: Whitaker, R and Horgan, G. (2016), "Abortion Governance in the New Northern Ireland" in De Zordo, S., Mishtal, J. and Anton, L. (eds) (2017), *A Fragmented Landscape: Abortion Governance and Protest Logics in Europe*, New York: Berghann Books

The above outputs have been subject to blind peer review by international editorial boards.

4. Details of the impact

Ulster's research examined and exposed the cumulative harms of the repressive legislative environment in NI and demonstrated that, contrary to the prevailing political and religious narrative, there was support for abortion law reform. Our research directly contributed to the following impacts, which are presented in terms of their significance and reach, beginning with the passing of legislation in Westminster, overturning years of discriminatory practice in NI, and the setting up of abortion services. These steps were a direct consequence of other impacts through engagement with civil society organisations and health professionals. Built around the body of research, this had a direct impact on their campaigning and service provision work.

I1: Legislative and policy change

Until 2019, an 1861 Act rendered abortion illegal in almost all circumstances in NI. Our research (**R1-R6**) played a significant role in informing legislative changes in Westminster, most specifically through **I2** and **I3** described below. The changes include the **Northern Ireland (Executive Formation) Act 2019** (NIEF Act), which repealed sections 58 and 59 of the 1861 Act, decriminalising abortion and requiring abortion services to be put in place. (**C10**)

This Act followed a critical inquiry by the Westminster Parliament *Women and Equalities Committee* which drew heavily on the body of research (see **I2**, **R2-R5**). The 2019 Act also implemented recommendations of the UN CEDAW Inquiry Report (see **I3**) which was informed by written and oral evidence from all three researchers underpinned by **R1**, **R3**, **R4**, **R6** and emerging findings from the ESRC funded research (**R2**, **R5**) (**C4**). Direct engagement with parliamentarians on the research findings included Horgan's 2016 seminar in Westminster, sponsored by Labour MPs Kat Smith and Liz Kendall, which introduced MPs to the fact that devolution does not absolve Westminster of responsibility to act on human rights violations (**R1**, **R6**). Bloomer's involvement at an event at the 2018 SNP conference with NGOs, Engender and Alliance for Choice, and in a 2019 seminar in Westminster, sponsored by SNP MP Alison Thewlis, disseminated the research to SNP MPs. This contributed to them dropping their position of abstaining on voting matters related to other devolved administrations, and supporting the NIEF Act (**R3**, **R4**, **R6**; **C5**). From 2017 to 2019 Bloomer and Horgan were active members of the ad hoc advisory group to **Stella Creasy MP**, advising on specific details of the NIEF Act drawing on **R1-6** (**C10**): "*During this time period the expertise from my advisory group was invaluable, in particular the robust evidence base from Ulster University... The combination of these efforts resulted in the construction of Section 9 of the Northern Ireland (Executive Formation etc) Act 2019, a historic moment in abortion law in Northern Ireland. These efforts led to the establishment on interim abortion services in April 2020.*"

I2: Substantial knowledge contribution to the Women and Equalities Select Committee Inquiry on Abortion in NI (2018 – 2019)

Ulster's research had a transformative impact on the Women and Equalities Select Committee's understanding of abortion in NI. In setting out the reasons for the Inquiry the Committee included "*evidence that significant numbers of abortion pills purchased online are being sent to Northern Ireland*" and referenced **R5** findings. The research findings featured prominently in oral and written submissions to the Select Committee from NGOs (e.g. Amnesty International and Family Planning Association, Doctors for Choice UK, Women's Aid Federation) in NI and other UK jurisdictions (**C3**). Bloomer and Horgan were invited to provide oral evidence to the Committee, having made written submissions, submitted by ARK, the research centre housing Horgan and Gray's ESRC study and the Reproductive Health Law and Policy Group which houses Bloomer's research. The submissions highlighted the experiences of women obtaining illegal abortions, or having to travel outside the jurisdiction to access abortions, the robust information about public desire for reform and clarity on the CEDAW obligations, direct rule and devolution [**R2-R6**], and informed its recommendations (**C1**, **C2**). The impact of the research is evidenced by the Report itself which refers extensively to findings from the Ulster research (including sections 3, 7 and 9). The report notes that the survey on public attitudes towards abortion (**R2**), "*is the most comprehensive survey on public attitudes to date*" (para 26) (**C1**). In direct reference to the research (**R5**, **R6**), the Committee concluded that "... *devolution does not remove the UK Government's own responsibilities to comply with its international obligations and internal laws cannot be used to justify a failure to comply with human rights standards.*" The Clerk of the Committee notes that: "*The evidence provided to the Committee by the researchers was extremely powerful. It set out*

the issues, why they were important and assisted the Committee in understanding the issues.” (C2).

I3: Critical role in the CEDAW Optional Protocol Inquiry (2013 – 2018)

The UK is a signatory to the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). The CEDAW Committee’s investigation of abortion in NI found systematic violations of rights through the criminalisation of abortion, women being forced to travel to procure legal abortions and by having to access abortions illegally through pills bought on the Internet. Horgan and Gray were co-authors of the submission to the CEDAW Committee in 2011 requesting that the Committee carry out an inquiry under the Optional Protocol of the Convention (the Inquiry, commenced in 2013, is one of only 5 Inquiries ever initiated by the Committee under the OP). The research underpinned the CEDAW Committee’s understanding of the context of abortion debates and the challenges to women’s human rights as demonstrated by Bloomer, Horgan and Gray appearing as expert witnesses before the CEDAW Committee in 2016 to discuss **R1, R3-R6**, and, on the request of the Committee, submitting further written evidence relating to **R2** and **R4**. The inquiry report (**C4**) includes references to the issues raised in the evidence. The 2019 NIEF Act (see **I1** above) directly responds to these CEDAW Report recommendations. (**C10**)

I4: Influencing service development (2019/2020)

Direct impact on the development of abortion services in the jurisdiction also comes from **R2, R3, R5** and **R6** which were the basis of policy briefs and policy roundtables organised by Gray and Horgan in 2019, conducted under the Chatham House rule, to inform and stimulate policy and service change. Following the 2019 legislation, Bloomer and Horgan were invited to be the only academic members of the *NI Abortion and Contraception Task Group* (NIACT) to provide evidence and policy support to clinicians who wanted to develop abortion services following decriminalisation. NIACT was created by clinicians who had attended the 2019 policy roundtables. Most of these ‘pro-choice’ doctors met at the roundtables for the first time to discuss the research findings and abortion services. They have noted that the robust and persuasive research provided them with the information and the confidence to develop ad hoc early medical abortion services across the region, despite the Department of Health refusing to commission services. *“Horgan’s research on self-managed abortion has given confidence to those clinicians providing abortion care that the home use of misoprostol without the use of routine ultrasound is not only safe and effective but is also acceptable and preferable to many patients...Bloomer and Horgan’s research evidence and the policy briefs linked to it, together with the policy roundtables with health professionals, were instrumental in bringing about the service. This research has had real life impact which will benefit women for decades to come” (C9)*

I5: Informing critical political discourse, public awareness and policy debates (2014 – 2020)

In a jurisdiction where there has been such hostility to open debate and reform of abortion legislation the impact described at **I1** and **I2** was aided by political, media and public discourse. This body of research filled a vital gap in discourse previously dominated by value-based arguments. The filling of critical gaps in knowledge around the influence of religiosity (**R3, R6**) and the robustness of research on public attitudes and the use of abortion pills bought on the Internet (**R2, R5**) led to extensive UK wide media reporting of the findings. Examples include: *The Guardian* reported ‘NI strongly backs abortion law reform’; *Prospect Magazine* ‘Mood has shifted on abortion in NI’; *The Sunday Times* featured a lengthy article on the use of abortion pills bought online based on **R5** which included anonymised stories of the research participants (with their permission); a *Newsnight* feature drew on our research to illustrate the impact of criminalisation of women (**C7**). This resulted in increasing acknowledgement that NI is not an anti-abortion monolith and impacted on attitudes in Westminster (**C10**).

The body of research gave voice to the experiences of women directly impacted by the repressive legislation and, through innovative engagement with civil society, impacted on public understanding. A UK-wide storytelling project and exhibition, *My Body My Life*, informed by **R3, R4** was visited by approximately 1,200 people with approximately 140 stories submitted (**C8**). Attendees noted how the exhibition had de-stigmatised abortion. A community theatre

performance by Alliance for Choice Derry, drawing directly on **R2** and **R5**, performed on Culture Night 2019 and subsequently for community/women's groups, was filmed and has been viewed approximately 5,000 times (**C8**). The data on abortion as a workplace issue (**R4**) were the foundation for new education programmes developed by Alliance for Choice. These had a direct impact on changing understanding and attitudes to abortion and provided a platform for trade unions such as Mandate, Unite the Union, GMB, CWU Ireland and Unison, to talk in an evidence-based way about abortion as a workplace issue. Training attendees amount to an average of 200 people per year, plus audience reach of approximately 1,000 per year from workshop/conference attendees (**R4; C6**). **R4**, along with **R2**, **R3**, as well as informing the work of trade unions, also informed the syllabi of education (**C5**).

The research (**R4**) also formed an evidence base for Trade Unions in the Republic of Ireland to advocate for the repeal of the 8th amendment to the constitution, paving the way to historic legal change on abortion law. The Repeal the 8th Campaign and the Trade Union Campaign to Repeal the 8th, held a series of education events with Bloomer leading up to the referendum to share findings with trade union members and the public. *"Members did not just gain knowledge about abortion as a workplace issue but considered the implications of the findings for themselves and colleagues; the research enriched our understanding of abortion in restricted settings ... informed our campaign efforts in two jurisdictions which has contributed to historic legal change"* (**C6**).

I6 Informed and enhanced the campaigning work and impact of NGOs (2014-2020)

The body of work (**R1-R6**) has directly influenced the campaigning and education work of NGOs which helped them challenge abortion stigma including Voice for Choice, Amnesty International, NI Women's European Platform and Engender. It also directly led to the primary campaigning organisation, Alliance for Choice, developing highly sensitive work with faith leaders to engage with the taboo subject of people of faith who are prochoice (**C5**). Their extensive programme of work has included: participation in legal cases; responses to national/international consultations; lobbying at Westminster; community engagement; media engagement; supporting those in needs of abortion services; and new work engaging with abortion providers. All of this work collectively resulted in Alliance for Choice establishing itself as one of the leading advocates for decriminalisation of abortion in Northern Ireland. *"Alliance for Choice and the team at Ulster have had a longstanding, reflexive and mutually enriching relationship; the academic team have been inspired in research by on the ground campaigns of Alliance for Choice. In return we have benefited from the supportive and legitimising knowledge produced by Ulster to inform and strengthen our claims for dominion and bodily integrity without which our voice in the corridors of power and trust from the public would have been greatly diminished"* (**C5**).

5. Sources to corroborate the impact

C1: Women and Equalities Committee (UK parliament select committee) Abortion law in Northern Ireland Inquiry.

C2: Testimony from Clerk from WEC.

C3: Submissions made to the WEC inquiry by civil society organisations citing the research.

C4: Report from CEDAW inquiry Committee on the Elimination of Discrimination Against Women Inquiry Report, 2018.

C5: Testimony from Alliance for Choice (this has links to specific evidence of how the organisation utilises academic outputs in campaigning, education programs, media outputs).

C6: Testimony from Trade Unions – speaks to how unions engaged on abortion as a workplace issue and the Irish referendum.

C7: Portfolio of media links and social media electronic sources.

C8: My Body My Life exhibition and project evaluation report. Video of theatre performance presented by Alliance for Choice for Derry Culture Night in 2019 and anniversary coverage in 2020 (5,000 views).

C9: Testimony from NI Abortion and Contraception Group (mainly consultant doctors).

C10: Testimony from Stella Creasy MP.