

# *Abortion Supervisory Committee*

5 July 2018

Steven Liu  
fyi-request-8044-d54ca4c7@requests.fyi.org.nz

Dear Mr Liu

## **OFFICIAL INFORMATION ACT REQUEST**

I refer to your request of 16 June 2018 sent to the Ministry of Health seeking information under the Official Information Act 1982 (the OIA). Your request has been transferred under section 14 of the OIA to the Abortion Supervisory Committee (ASC) as it relates more closely to the functions of that department.

Specifically, you have requested:

- *Whether information is collected about the outcomes of requests to certifying consultants to approve abortions; and*
- *If so, the percentages of refusals and approvals by certifying consultants for abortions in the last three calendar years [2015-2017]*

Under section 30 of the Contraception, Sterilisation and Abortion Act 1977 (CSA Act), the ASC is required to set up and maintain a list of medical practitioners (certifying consultants) who may be called upon to consider cases referred to them by any medical practitioner and determine whether to authorise an abortion (justified or not justified).

In order for an abortion to be considered lawful, two certifying consultants must be satisfied that a woman seeking an abortion meets the grounds set out in section 187A of the Crimes Act 1961. When a certifying consultant does not believe an abortion is justified, the case is then referred to a third certifying consultant who can consider the case.

All decisions on whether an abortion is deemed justified or not justified are recorded on a certificate and sent to the Ministry of Justice for processing. This information is recorded and kept on a database.

The information recorded in tables 1 and 2, next page, shows the number of times a certifying consultant has deemed an abortion to be justified or not justified for the previous three calendar years, as well as the total number of abortions performed for those years respectively.

The ASC would like to note that, for doctors who perform mostly second consultations, it would expect the number of 'Not Justified' to be low, given that by the second consultation many women will have already been seen by a general practitioner, counsellor and first certifying consultant.

**Table 1**

Number of Justified and Not Justified Abortion Certificate Decisions by Certifying Consultants  
*Calendar years 2015-2017*

Year	Justified	Percentage Justified	Not Justified	Percentage Not Justified	Total Certificates
2015	29,581	99%	265	1%	29,846
2016	27,622	99%	268	1%	27,890
2017	27,332	99%	275	1%	27,607

**Table 2**

Number of Abortions Performed  
*Calendar Years 2015-2017*

Year	Abortions Performed
2015	13,155
2016	12,823
2017	13,285

Please note that the certification figures will be higher than the total number of abortions performed for various reasons including, but not limited to:

- *that two certificates (justified decisions) are required for authorisation of an abortion procedure. In some cases, a third certificate is required, from a third certifying consultant, where the first two consultants did not agree.*
- *women choosing to continue with their pregnancies after or during the certification pathway (e.g after one, two or three certificates are deemed justified or not justified)*
- *pregnancies ending by spontaneous miscarriage before an abortion procedure could be performed.*

This information is released to you under the OIA. If you are not satisfied with our response to your request, you have the right to make a complaint to the Ombudsman under section 28(3). The Ombudsman may be contacted by writing to the Office of Ombudsman at PO Box 10152, Wellington 6143, by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phone to 0800 802 602.

Yours sincerely



Rachael Cole  
Secretary  
Abortion Supervisory Committee