

Disability Case Downright Discrimination

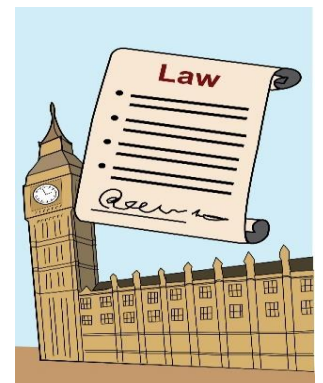


Easy Read

Warning: people might find some information in this document upsetting.



A woman with Down's syndrome started an important case against the UK Government in February 2020. The case is about abortion law that discriminates against people with Down's syndrome.



Abortion: this means when a pregnancy is ended on purpose so that the baby is not born.

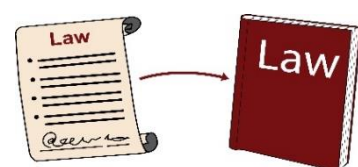
Discrimination: this means being treated unfairly. This could be because of a person's race, age, sex or because they are a disabled person.

What the case is all about

Heidi Crowter is a 24-year-old woman from Coventry. She has Down's syndrome. Now Heidi has teamed up with Máire Lea-Wilson from London, Máire has a baby called Aidan. Aidan also has Down's syndrome.



Heidi and Máire have started this case against the UK government because they want to change the abortion law. At the moment, the law says that women who are having a child with Down's syndrome can have an abortion up until the day the baby is born.



Hospitals offer women blood tests and scans to find out if babies have Down's syndrome or other disabilities before they are born. If a disability is found, a woman is offered an abortion.



Heidi wants to change the law because it offends her and other people with Down's syndrome. The part of the law which allows this is called Section 1(1)d. This part of the law means that babies with any disability can be aborted until the day they are born.



Heidi's lawyer said that to get rid of the discrimination, the Section 1(1)d would need to be taken out. This is not about taking away choice from abortion law, it is about getting rid of the discrimination in Section 1(1)d.



The law around abortion

Usually, women can't have an abortion after 24 weeks of being pregnant. However, the law says that if the baby has a disability, women can have an abortion up until the day the baby is born. These are disabilities such as:



- Down's syndrome
- Cleft lip, this is a when a person is born with a split in their upper lip
- Club foot, this is where a person's feet or one foot have a twist and face inwards, it can mean that a person cannot put the foot down flat to walk

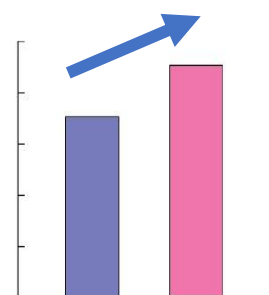


The facts and figures about abortions and disability

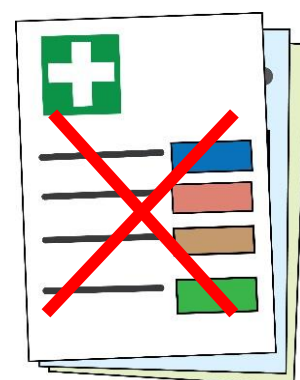
In 2018, there were over 3,000 abortions done because the baby had a disability. 618 of these were because the baby would have been born with Down's syndrome.



Between 2008 and 2018, the number of abortions for Down's syndrome has gone up by almost half. In 2008 there were 436 abortions done and in 2018 there were 618 abortions done. The actual number of abortions done is probably much higher.



A 2013 review found that there were 886 abortions for Down's syndrome in England and Wales in 2010. However, only 482 were reported to the Department of Health. In a review in 2014, The Department of Health said that lots of these abortions were not being reported.



Heidi and her team have set up a Crowd Justice crowdfunding page called Downright Discrimination to help raise more than £50,000 for a court case.



Crowd Justice, crowdfunding page: this is a page online where people can donate money to support someone to pay for a court case.

This money will support her to:

- Take action in court
- Pay for advice about the law
- Get the case ready



To find out more and to give money to the case go to the link below:

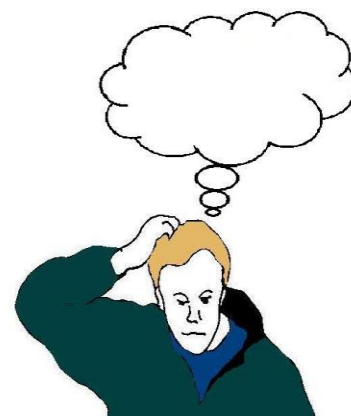


www.crowdjustice.com/case/downrightdiscrimination/

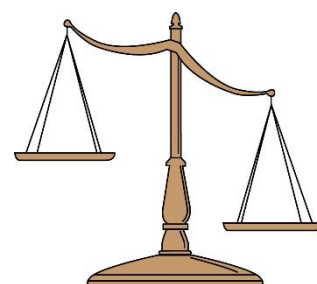
What are people saying about the case?

Heidi Crowter, who has Down's syndrome said:

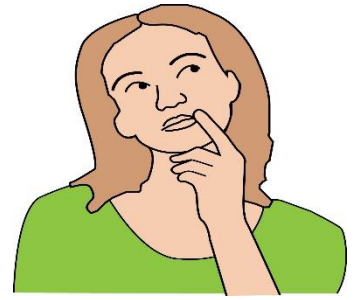
At the moment in the UK, abortions can happen right up to birth of a baby if they are thought to be seriously disabled. They say that I am part of that definition. Can you believe that?



What it says to me is that my life just isn't as valuable as others, and I don't think that's right. I think it's downright discrimination!



Sally Phillips is an actress and comedian. Her son Ollie has Down's syndrome. When speaking to The Times she said:



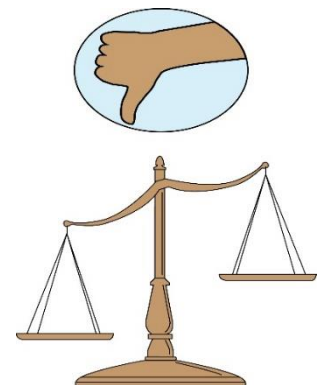
Medical care and quality of life for people with Down's syndrome has got a lot better. These days, the different right to life for disabled people and non-disabled people is starting to look out of date and **barbaric**.



Barbaric: this means cruel and very behind the times.

Heidi's solicitor said:

This case looks at an issue that at the core is offensive and is a type of discrimination. At the moment, the law leads to bad stereotypes. It suggests that people with disabilities have less value than non-disabled people.



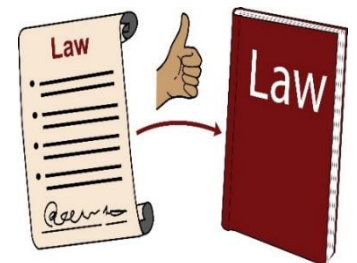
This important case wants the law to see that the Abortion Act takes away the **dignity** of people with disabilities and to say that this is wrong.



Dignity: this means that a person and their opinions or wishes are important and listened to. This also means being treated with respect.

Lynn Murray, speaking for Don't Screen Us Out Campaign, who are supporting Heidi's challenge, said:

This part of the Abortion Act is out of date. Society has moved on, but the law hasn't. It's time it did.

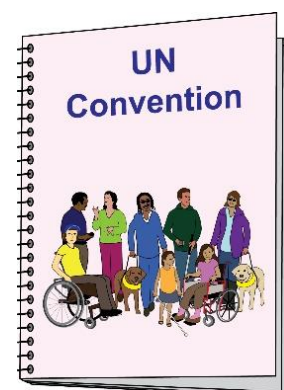


We live in a society which says that we want to give power to people with disabilities. You deserve a fair and equal chance at life. We think that our laws must support this.



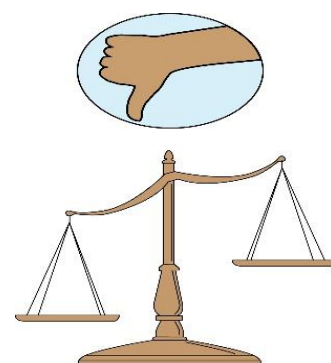
The opinions about abortion decisions based on disability

1. The **UN Committee on the Rights of Persons with Disabilities** has often spoken up against countries which let people get an abortion because of a disability the baby would have.



UN Committee on the Rights of Persons with Disabilities: this is group which makes sure the UN convention is put into place. This is an international agreement the UK government signed up to, to bring about the full rights of Disabled people in the UK.

The UN Committee made a suggestion that the UK changes its abortion law so that it does not single out babies with disabilities. The Government has decided not to listen to this suggestion. This is why Heidi is taking the UK Government to court



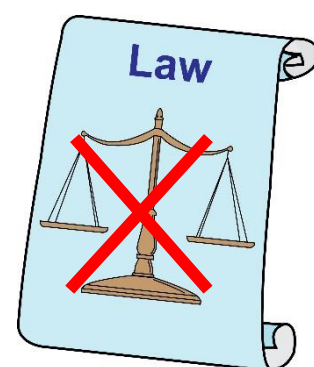
2. The Disability Rights Commission, now the Equality and Human Rights Commission, have said that this part of the Abortion Act is "offensive to many people". They have argued that it:



- Leads to bad stereotypes for disabled people. A bad stereotype is an unfair idea that people have about disabled people, based on their disability or impairment.
- Does not treat disabled and non-disabled people equally.



3. In 2013, Parliament looked into the information about abortion for Disability. Most people who gave evidence thought that using disabilities as a reason for abortion is a type of discrimination. They said that it went against the ideas set out in the **Equality Act 2010**.



Equality Act: this is a law that says that people and organisations must not discriminate. They must get rid of barriers. They must make sure that everyone has the same opportunities.

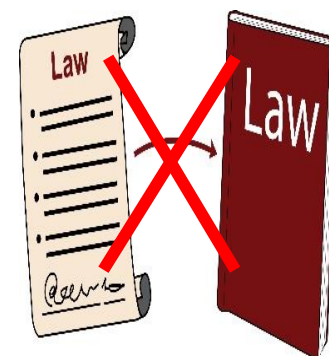
They also said that it affects the way people think about discrimination against disabled people.



It was suggested that Parliament should think about whether using disability as a reason for abortion is a good idea. The government should think about getting rid of section 1(1)(d) of the Abortion Act, which lets abortions for disabilities happen by law.



4. Lord Shinkwin is a member of the **House of Lords**. He is also disabled. Lord Shinkwin tried to pass a law to get rid of section 1(1)(d) of the Abortion Act. His law was not stopped. However, his efforts ran out of time in Parliament so he could not pass the law. Lord Shinkwin was supported by Disability Rights UK.



House of Lords: This is part of parliament which shares the responsibility of making and changing laws.

More information:

- For more information on the Don't Screen Us Out campaign go to the website:

www.dontscreenusout.org

- Heidi's Facebook page can be found here:

<https://www.facebook.com/Heidi-Crowter-Living-the-Dream-473919313091896/>

