

## **Public Health Reform and Abortion: a briefing from Abortion Rights**

Under plans laid out in the government's Public Health White Paper, the way that abortion and sexual health services are commissioned will change from 2013. Health professionals and pro-choice advocates are concerned that the proposed reforms may negatively impact access to abortion and sexual health services and may politicise the commissioning process. This briefing summarises the new system and highlights potential problems which may arise.

### **New public health structures**

- Abortion services are currently commissioned by Primary Care Trusts (PCTs). PCTs are being phased out, and from 2013 responsibility for abortion and most sexual health services will be transferred to Local Authorities, along with other public health activities such as drug and alcohol misuse services and obesity initiatives.
- Each Local Authority will appoint a Director of Public Health who will work with a statutory Health and Wellbeing Board to administer a ring-fenced public health budget and which will be required to:
  - “establish a shared local view about the needs of the community and support joint commissioning of NHS, social care and public health services in order to meet the needs of the whole local population effectively”<sup>1</sup>.
- Local Authorities will have flexibility to shape services to meet local needs, but Ministers have indicated that they will be required to deliver comprehensive sexual health services including termination of pregnancy, non-GP based contraception, sexual health promotion and prevention, STI treatment and testing.
- Health and Wellbeing Boards will be required to include elected local councillors, GP consortium members and social care officials, but membership can be expanded to include local voluntary, community and private sector groups, clinicians and service providers.

### **Potential problems for abortion and sexual health service delivery**

- Health professionals working in the field have raised concerns around loss of expertise and experience in commissioning abortion services built up in Primary Care Trusts, as Trusts are wound down and staff leave.
- The transfer of responsibility for abortion and sexual health services to Local Authorities creates the possibility of politicising the commissioning of these services, potentially turning the provision of abortion services into electoral issues at local level.
- Levels and modes of service provision within individual Local Authority areas could be influenced by both the political orientation of a particular local council and the ideological outlook of Health and Wellbeing Board members.
- The presence of voluntary, community and possibly religious groups on these Boards could result, for instance, in the appointment of individuals representing organisations opposed to abortion in all circumstances or those who favour an abstinence-only approach to sexual health

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<sup>1</sup> Healthy Lives, Healthy People: Our Strategy for Public Health in England, White Paper, Nov 2010, [http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/documents/digitalasset/dh\\_127424.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_127424.pdf)

promotion and prevention. It appears that at present systems are not in place to ensure that those appointed to Boards do not represent extreme political or ideological viewpoints.

- The appointment of elected local council members to Health and Wellbeing Boards raises the possibility that a candidate's approach to abortion and sexual health could become part of their electoral campaign platform. It has been suggested that candidates for council seats will compete to demonstrate how restrictive or conservative they can be regarding the type of services they would be willing to allow.
- Health Minister Paul Burstow recently indicated that Local Authorities could opt to appoint the majority of Health and Wellbeing Board members from among their elected local councillors<sup>2</sup>, raising concerns about both geographical representation and political balance on Boards.
- Anti-choice group Society for the Protection of Unborn Children has begun campaigning against any statutory requirement for Local Authorities to commission abortion services, on the grounds that this would "create a conflict for any councillor who objects to abortion"<sup>3</sup>.
- Decisions reached by Directors of Public Health and Local Authorities will have a huge impact on the services available at local level. A decision not to fund 2<sup>nd</sup> trimester abortion services, for example, whether for financial or ideological reasons, would result in a de facto abortion time limit cut in particular area. This could lead to an uneven patchwork of services across the country and seriously impact timely accessing of abortion care.

It is currently unclear what mechanisms will be put in place to ensure the accountability of Directors of Public Health and Health and Wellbeing Boards, how their adherence to appropriate clinical standards will be ensured and the degree of discretion they will have over allocation of public health budgets.

Given that Local Authorities will have flexibility to shape services to meet local needs and that "in line with the Localism Bill, local authorities will have greater discretion over how to exercise their health scrutiny powers"<sup>4</sup> it is vital that accountability mechanisms are robust and transparent.

Likewise, given that abortion and sexual health can become politically sensitive issues, it is vital that their provision is governed by clinical best practice and the needs of the local population rather than by political or ideological agenda.

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## About Abortion Rights

Abortion Rights is the national pro-choice campaign, working to defend and extend the right to safe, legal abortion across the UK.

We are a membership-based organisation, working with the Voice for Choice coalition, the All Party Parliamentary Sexual and Reproductive Health Group, trade unions, women's organisations and student groups. [www.abortionrights.org.uk](http://www.abortionrights.org.uk)

If you have any questions about this briefing, please contact Abortion Rights on 020 7923 9792 or email [choice@abortionrights.org.uk](mailto:choice@abortionrights.org.uk).

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<sup>2</sup> HC deb 22 Nov 2011 c148

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm111122/debtext/111122-0001.htm>

<sup>3</sup> <http://spuc-director.blogspot.com/2011/11/write-to-local-authorities-to-stop.html>

<sup>4</sup> Health Lives, Healthy People: Updates and Way Forward, DH Policy Statement, July 2011, [http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/documents/digitalasset/dh\\_129334.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_129334.pdf)