

ALRANZ THE FIRST FIFTY YEARS by Dame Margaret Sparrow DNZM MBE. Written to celebrate the 2020 decriminalisation of our abortion laws on 24 March 2020. See also my book *Abortion Then and Now* (2010). Feedback to: margaretsparrow56@gmail.com

[* denotes deceased where I am aware of it. Apologies for any omissions.]

ALRANZ (Abortion Law Reform Association of NZ) FORMATION

Following the 1967 changes to the UK abortion laws, a vociferous anti-abortion campaign emerged in NZ. This resulted in the formation of SPUC (Society for the Protection of the Unborn Child) at a public meeting in Auckland in March 1970. Responding to this, a group of concerned individuals met in Auckland on 4 August 1970 under the chairmanship of Wayne Facer, Auckland University administrator. This led to the formation of ALRANZ, incorporated on 11 February 1971. On Wednesday 17 March 1971 the first public meeting and AGM was held. Isabel Stanton* was elected National President, Anna Watson, Secretary, and Wayne Facer, Information and Research Officer. An Advisory Council was appointed and prominent supporters became Honorary Vice Presidents. I was invited to become one in February 1973. From 1975 until her death in 2003, Lady Patricia Harris* QSM was Patron.

ALRANZ PRESIDENTS

March 1971 to March 1975 Isabel Stanton*, Auckland social worker. She spoke at public meetings throughout NZ raising awareness of abortion rights.

March 1975 to March 1980 Dr Margaret Sparrow, Student Health Service, Victoria University. These were the bleak times of the Royal Commission and the resulting legislation. I benefited greatly from the support of National Secretary, Jan Clark. When I was overseas from December 1975 to September 1976, Helen Smith* was Acting President.

March 1980 to March 1983 Alistair Aitken, secondary school teacher, Auckland. Alistair worked closely with his Secretary/Treasurer, James Bridges establishing strong links with all the branches.

March 1983 to March 2011 Dr Margaret Sparrow kept ALRANZ alive with many helpers.

March 2011 to June 2015 Morgan Healey PhD, arrived from USA via Ireland. Morgan fell out of the sky and rejuvenated a now elderly committee which held its meetings in the Rita Angus Retirement Village, residence of long standing Treasurer Beryl Hughes*. Morgan's style was tactfully emancipating.

June 2015 -Terry Bellamak. In 2005, Terry visited NZ and emigrated from USA the following year becoming a NZ citizen in 2011. She completed her LLB at Victoria University in 2014. ALRANZ is eternally grateful to Terry, who gave up her career for over two years to devote her time, skills and energy to lobby for change.

ALRANZ BRANCHES

In 1971 Branches were established in Auckland, Wellington, Christchurch, Dunedin, Hamilton and Nelson. Later on came Tokoroa, Rotorua, Tauranga, New Plymouth, Palmerston North, Napier/Hastings, Wairarapa, and Greymouth. Branches were most active in the 1970s. Hamilton and Rotorua Branches closed early in 1979 and members joined Auckland Branch. Palmerston North Branch closed in 1982. Dunedin Branch closed in 1984 and was replaced by an informal Dunedin Abortion Issues Group. Christchurch Branch closed in July 1996. The last to close in 2004 were Napier/Hastings, Auckland and Wellington. One of the strengths of ALRANZ was the amazing commitment of local advocates, responding to issues and keeping them to the forefront in newspapers and other media. There were some phenomenal letter writers.

In addition to those mentioned elsewhere these are just some of the champions that are remembered with great respect:

Auckland: Sharryn Cederman*, Cherry Raymond*, Carolyn Woolnough, Prof John Werry, Eric Grimes*, Megan Grant*, Dr John Taylor*, Dame Jenny Gibbs, Dr Ros Vallings, Dr Zoë During*, Dr Hillary Weeks, Beverley Morris*, Dr Barbara Morris, Yvonne Wilkie, Jude Gillies, Julie Fairey, Pip Duncalf, Eileen Slark, Lesley Smith. **Wellington:** (I joined the Wellington Branch on 15 November 1972 at a meeting in the home of President Anne de Lacey Davidson*). Ian Howard, Frank Dungey, Russell Feist, Prof John McCreary*, Jocelyn Brooks*, Shirley Smith*, Rev Colin Clark*, Frances Sutton, Linda McCulloch, Linda Eastman, Valerie Scott*, Carole Charles*, Dr Winifred Kennedy, Dr Gabrielle Maxwell, Vivienne Ullrich, Inna Grbich*, Peggy Walsh,

Penny Fallaver, Susan Peacock, Lois McKewen*, Liz Paton, Kim Lund, Janet Campbell, Jill Grimalkin, Craig Young, Mary Jarman, Jan Riach, Caye Lavill, Ann Simmons, Margaret Aitken, Penelope Austin, Vanessa Riddiford, Rachel Shadbolt, Ruth Grimes, Dougal McNeill.

Christchurch: Dr Janet Irwin*, Nancy Sutherland*, Dr John Dobson*, Honor Bonisch*, Jaqueline Steincamp, Pat Syme, Margaret Duckworth*, Theresa Levy, Fiona O’Cock, Diane Shannon, Peggy Kelly, Dr Tammy Steeves. **Dunedin:** John Conroy, Cheryl Lewis, Dr Norman James, Dr Tree Cocks. **Hamilton:** Dr Anna Whitehead, Jan Gilby. **Nelson:** Patsy McGrath. **Rotorua:** Dr Janette Irvine. **Tauranga:** Marlene Ware. **Palmerston North:** Dr Jim Hefford. **Napier/Hastings:** April Armstrong*, Mary Thomas*, Jim Saunders*, Suzanne Simone, Maxine Boag. **Wairarapa:** Gaye Gough.

WHAT WE DID

We conducted polls, surveys, questionnaires and petitions. We ran workshops, seminars, conferences. We wrote pamphlets, reports, fact sheets and endless submissions. We designed a poster and a badge. We monitored the services in hospitals & clinics - Epsom Day Hospital (1978), Parkview Wellington (1980), Lyndhurst, Christchurch (1986). We followed the legal challenges and held marches, demonstrations and protests. We lobbied MPs. We celebrated significant events. More recently we have morphed into bloggers, tweeters, facebook pagers, and Zoomers.

We interacted with many overseas visitors: **1971:** Prof H.L.A. Hart* and the Rt Hon Charles Pannell* (on the UK legislation); **1973:** Lorraine Rothman* on menstrual extraction, Sheila Wynn, ALRA Melbourne; **1974:** Dr Irvin Cushner*, Associate Prof O&G, UCLA; **1975:** Jo Wainer, Melbourne clinic; **1976:** Prof Malcolm Potts for the Royal Commission, Rev Chad Varah* (Samaritans); **1977:** Prof Helen Marieskind, New York; **1978:** Julia Freebury*, ALRA Sydney; Prof Derek Llewellyn-Jones, O&G Sydney; **1979:** Dr Christopher Teitze* Population Council, New York; **1988:** Bella Abzug*, American feminist activist, politician; **1990:** Professor Baulieu on RU486 (Paris); **2000** and **2012** Leslie Cannold, Melbourne; **2003:** Wayne Berry, Speaker of the Legislative Assembly ACT; **2008:** Dr Suzanne Poppema (NAF, USA); **2016:** Jon O’Brien (Catholics for Choice).

TIMELINE

This timeline is an indication of where ALRANZ has been actively engaged over the years.

1969-71: Court cases in Australia (Melbourne in 1969, Sydney in 1971) gave a more liberal interpretation to laws which varied from one State to another. Many women with the means, were now able to fly to Sydney or Melbourne for a legal abortion. It was difficult to obtain a legal abortion in NZ.

1973: 22 January Roe v. Wade in USA.

May 1974: Dr Rex Hunton* initiated the Auckland Medical Aid Centre, which stemmed the traffic to Australia. In September 1974 police seized approximately 500 files. The Court of Appeal ruled that the search warrant had been invalid but the files were used to bring the operating doctor, Dr Jim Woolnough* to trial in 1975. He was subsequently acquitted of all 12 charges. The clinic closed in December 1977 as a result of the Contraception Sterilisation and Abortion Act (CS&A Act) and did not reopen until August 1979 after a legal battle to obtain a licence.

August 1974: The Hospitals Amendment Bill (Wall Bill) was introduced in an attempt to restrict abortions to public hospitals.

1975-77: Due to intense public debate a Royal Commission of Inquiry on Contraception, Sterilisation and Abortion was established by the Labour Government under Prime Minister Rowling*. The six member commission under Justice McMullin* was appointed in June 1975 and deliberated for 21 months.

1976: The Gill Bill, introduced by National’s Minister of Health, Air Commodore Gill*, like the ill-fated Wall Bill, attempted to restrict abortions to public hospitals. National’s George Gair* moved that any action be deferred until after the release of the report of the Royal Commission.

March 1977: The report of the Royal Commission was published. It recommended 12-14 abortion panels throughout NZ. It did not trust women, doctors or the Health Department. As a template for the ensuing legislation it was woefully deficient. To express ALRANZ’s condemnation, National Secretary Jan Clark burnt a copy of the report on her front lawn for the TV cameras. ALRANZ also released a serious critique, edited by Maureen Milne.

August - December 1977: National, under Prime Minister Rob Muldoon*, introduced the CS&A Bill. After many amendments and one all night sitting, it was passed on 15 December 1977. Panels were discarded in favour of two “certifying consultants”. The new procedures for obtaining an abortion came into effect on 1 April 1978 under the supervision of a new body, the Abortion Supervisory Committee (ASC).

July 1978: The new legislation proved unworkable. Travel to Australia resumed, assisted by feminist groups which sprang up - SOS (Sisters Overseas Service). The ASC recommended changes to the Crimes Act, with fetal abnormality to be included as a ground and deletion of the phrase “and the danger cannot be averted by any other means.” These changes made the law workable, but incredulously rape was still not a ground for abortion. For the first time, there was a legal (albeit complicated) pathway for doctors.

1982: In *Wall v. Livingston*, anti-abortionist paediatrician Dr Melvyn Wall of New Plymouth challenged the decision of two certifying consultants who had authorised the abortion of a young girl, under-16-years old. He lost and the Court of Appeal confirmed that he had no standing to represent the fetus. The decisions of the certifying consultants made in good faith were safe.

October 1983: The *Wall v. Livingston* case reactivated the debate on abortion. Two private members Bills, one restrictive (Doug Kidd, National) and one liberal (Marilyn Waring, National) were introduced and both were defeated. For more detail see Marilyn Waring’s book *The Political Years* (2019).

October 1989: Helen Clark, Labour’s Minister of Health, tried, but failed to simplify the certifying procedures (any two doctors, one an O&G). However Parliament agreed by a substantial margin (54/14) to repeal Section 3 of the CS&A Act relating to contraception and under-16-year-olds. This removed restrictions on the provision of contraceptives to under-16-year-olds and information and instruction on their use.

1980s and 1990s: Anti-abortionists tried via multiple trespass cases to represent the fetus and restrict abortions but these failed, including three which were dismissed by the Privy Council in London (1995).

1991-1998: The Ministry of Health pamphlet *Considering an Abortion? What are your options?* was expanded and promoted as a booklet by Bill English. It was never useful and was a waste of resources.

16 July 2001: Steven Rogers*, 44, a security guard at the East Melbourne Fertility Clinic was shot and killed while at work by anti-abortionist recluse, Peter James Knight, 47. Knight is serving a sentence of life imprisonment with a non-parole period of 23 years. We need safe areas around our abortion facilities.

August 2001: Mifegyne (mifepristone) commonly referred to as the “abortion pill” was approved by Labour’s Minister of Health Annette King giving NZ women the choice of medical v. surgical abortion. I was one of five doctors (including Dr Carol Shand and Dr Diana Edwards*) who formed a not-for-profit Company to import the pill from France.

April 2003: The 1977 law was not designed for medical abortions so clarification was needed. Justice Durie in the High Court declared that women must take the medications in a licensed facility but did not need to stay there between taking the two sets of tablets (24-48 hours apart) nor was it compulsory for them to stay in a licensed hospital or clinic until the fetus was expelled and the abortion was complete. Fortunately the 2020 laws are more patient-friendly and allow for a more efficient delivery of services including telemedicine.

November 2004: The Care of Children Act was passed. Amendments to Section 37 by Judith Collins (National), Murray Smith (United Future) and Dale Jones (NZ First) were all defeated by a substantial margin. The amendments attempted to make parental notification mandatory for under-16-year-old girls seeking abortion.

December 2010: In *Hallagan v. Medical Council of NZ* Justice Mackenzie determined that doctors with a conscientious objection need only advise the woman to see another doctor or Family Planning Clinic.

[Section 174 Health Practitioners Competence Assurance Act 2003.]

May 2005 to August 2012: *RTL v ASC*, a protracted, tedious 7-year case, by Ken Orr of Right to Life, challenging the role of the ASC. Considered in the High Court, the Court of Appeal and finally the Supreme Court where there was a narrow 3/2 decision in favour of ASC.

June 2015 to October 2015: *RTL v ASC* challenged (again unsuccessfully) the legality of the limited licence to perform early medical abortions in the Tauranga Family Planning Clinic.

May 2015 to July 2016: Justice and Electoral Committee considered the petition of Hillary Kieft re care of under-16s. Counselling was recommended but sensibly, no change in the law.

4 September 2017: In the 2nd TV Leaders Debate Jacinda Ardern (Labour) told Bill English (National) that abortion “shouldn’t be in the Crimes Act”. She became Prime Minister on 26 October 2017.

27 February 2018: Minister of Justice, Andrew Little, requested the Law Commission to provide options on making abortion a health matter. **26 October 2018:** Law Commission released Ministerial Briefing Paper *Alternative approaches to abortion law* providing three models for Parliament to consider. **5 August 2019:** Andrew Little introduced the Abortion Legislation Bill making it a health issue and removing barriers to access. **8 August 2019:** First reading of Bill passed 94/23. Referred to special select committee chaired by Ruth Dyson (Labour), Deputy Amy Adams (National). **14 February 2020:** Special select committee reported back, with few changes. **3 March 2020:** Second reading of Bill passed 81/39 but no safe areas. **18 March 2020:** Third reading of Bill passed 68/51. **23 March 2020:** Royal Assent. Abortion Legislation Act became law on **24 March 2020**. Lockdown due to Covid-19, midnight on **25 March 2020**.

ALRANZ ALLIES

Change would not have happened without friends and allies. There is space to mention just some:

FAMILY PLANNING As early as 1937 Elsie Locke*, founder of the forerunner of FP made a submission to the Committee of Inquiry into the Various Aspects of the Problem of Abortion in NZ. Inaugural ALRANZ President, Isabel Stanton* was a committee member of Auckland FP and her sister-in-law, Dr Alice Bush* was National President of FP from 1960 until her death in 1974. Ron Megget* Past President of Wellington FP was one of the first men to take a very public and provocative stand on abortion. He paid for the weekly ALRANZ newspaper advertisements and after his death in 1996 his widow Joyce* continued this generosity. Chief Executives Gill Greer and Jackie Edmond, Dr Frances Bird, Dr Christine Roke and Nurse Rose Stewart have been staunch advocates of reproductive rights. Jackie deserves special mention for negotiating the administrative and legal obstacles when establishing the Tauranga early medical abortion clinic (2013). FP staff, management and members have contributed in many ways to the success we are celebrating.

WONAAC In July 1973 the first national abortion conference was held in Wellington organised by Kay Goodger of Socialist Action, under the banner of Women’s Abortion Action Committee. WONAAC (Women’s National Abortion Action Campaign), was launched at that meeting taking a strong feminist activist position as opposed to the more moderate male-inclusive ALRANZ. Di Cleary provided enduring leadership and there was always mutual respect between WONAAC and ALRANZ. Pulitzer prize-winning journalist, Alison McCulloch PhD, wrote *Fighting to Choose: The Abortion Rights Struggle in New Zealand* (2013).

COHAB (The Committee to Oppose the Hospitals Amendment Bill) was an ad hoc committee formed in Wellington, shortly after the Wall Bill was introduced in 1974. The coordinator was Rosslyn Noonan. Similar groups - AHAB (Against the Hospitals Amendment Bill) were formed in Auckland and Christchurch.

WEL (Women’s Electoral Lobby) active from 1975 to 2003 was pro-choice. Danna Glendining, Rae Julian and Elspeth Preddey were three prominent members who joined ALRANZ.

COACTION. A coalition of organisations was formed in April 1977 to oppose the use of the Royal Commission as a basis for legislation. In Wellington the coordinator was Leigh Minnit*, tragically murdered 15 May 1980 by her husband. In Auckland the coordinator was Frances Wright*.

REPEAL (1977) was initiated by George Gair* with the support of Auckland mayoress, Dame Barbara Goodman*. National Director was Rev John Murray* with Brenda Cutress National Coordinator. Lady Beverley Scott*, patron of the Christchurch branch of ALRANZ became one of the many patrons of Repeal. The petition with 318,820 signatures was presented to the four women MPs, Colleen Dewes*, Whetu Tirikatene-Sullivan*, Mary Batchelor* and Marilyn Waring but Parliament took no action.

MPs of note: Dr Martyn Finlay* (in office 1946-1949 then 1966-1975), George Gair* (1966-1990), Jonathan Hunt (1966-2005), Marilyn Waring (1975-1984), Dame Ann Hercus (1978-1987), Helen Clark (1981-2009), Katherine O’Regan* (1984-1999), Judy Keall (1984-1990 then 1993-2002), Dame Annette King (1984-1990 then 1993-2017). Liz Tennet (1987-1996), Dame Jenny Shipley (1987-2002), Judith Tizard (1990-2008), Lianne Dalziel (1990-2013), Dianne Yates (1993-2008), Ruth Dyson (1993-2020), Laila Harré (1996-2002), Helen Duncan* (1998-2005), Steve Chadwick (1999-2011), Catherine Delahunty (2008-2017), Amy Adams (2008-2020), Nikki Kaye (2008-2020), Jacinda Ardern (2008-), Louisa Wall (2008-), Tracey Martin (2011-2020), Andrew Little (2011-), Jan Logie (2011-), Marama Davidson (2015-).