

“(4) Every medical practitioner required to give a certificate and a notice as aforesaid, or to report to the Coroner as provided by the last preceding subsection, who refuses or neglects to do so is liable to a fine not exceeding five pounds.”

Recently a consultation on this matter was held between the Minister of Health and members of the Council of the New Zealand Branch of the British Medical Association.

The Association expressed the opinion that the resolutions of the Royal College of Physicians (England), which were laid down as a result of a similar controversy in Great Britain, constituted the most satisfactory guide in these difficult and responsible situations, and informed the Minister that steps would be taken to make the position clear to all its members. The resolutions are as follows:—

“The College is of opinion—

“1. That a moral obligation rests upon every medical practitioner to respect the confidence of his patient; and that without her consent he is not justified in disclosing information obtained in the course of his professional attendance on her.

“2. That every medical practitioner who is convinced that criminal abortion has been practised on his patient should urge her, especially when she is likely to die, to make a statement which may be taken as evidence against the person who has performed the operation, provided always that her chances of recovery are not thereby prejudiced.

“3. That in the event of her refusal to make such a statement he is under no legal obligation (so the college is advised) to take further action, but he should continue to attend the patient to the best of his ability.

“4. That before taking any action which may lead to legal proceedings, a medical practitioner will be wise to obtain the best medical and legal advice available, both to ensure that the patient's statement may have value as legal evidence and to safeguard his own interest since in the present state of the law there is no certainty that he will be protected against subsequent litigation.

“5. That if the patient should die he should refuse to give a certificate of the cause of death, and should communicate with the Coroner.

“The college has been advised to the following effect:—

“1. That the medical practitioner is under no legal obligation either to urge the patient to make a statement, or, if she refuses to do so, to take any further action.

“2. That when a patient who is dangerously ill consents to give evidence, her statement may be taken in any of the following ways.” [The procedure employed in taking this statement is then specified.]

The Committee is also of the opinion that if the medical profession closely follows this guidance and that of the amended section 41 of the Births and Deaths Registration Act, the public interests will best be served.

SUMMARY AND CONCLUSIONS.

I. The Committee is convinced that the induction of abortion is exceedingly common in New Zealand, and that it has definitely increased in recent years.

It has been estimated that at least one pregnancy in every five ends in abortion; in other words that some 6,000 abortions occur in New Zealand every year.

Of these, it is believed that 4,000, at a conservative estimate, are criminally induced either through the agency of criminal abortionists or by self-induction, either of which is equally dangerous.

It is clear that death from septic abortion occurs almost entirely in such cases.

Such deaths have greatly increased in recent years, and now constitute one-quarter of the total maternal mortality: in some urban districts it amounts to nearly half of the total maternal mortality.

New Zealand has, according to comparative international statistics, one of the highest death-rates from abortion in the world.

II. The Committee, after taking evidence from witnesses representing all sections of the community, has formed the conclusion that the main causes for this resort to abortion are—(1) Economic and domestic hardship; (2) changes in social and moral outlook; (3) pregnancy amongst the unmarried; and (4) in a small proportion of cases, fears of childbirth.

These matters are fully discussed.