# Labour MPs push to end criminal prosecutions for abortion under Victorian law



In June 2025, a pivotal moment in UK reproductive rights took place as Labour MPs Stella Creasy and Tonia Antoniazzi tabled amendments to the Crime and Policing Bill aimed at decriminalising pregnancy terminations without altering the current provisions of abortion care. This move comes amid growing concern over the criminalisation of abortion within the UK, where existing laws still root back to Victorian legislation. According to recent estimates by the country's largest abortion services provider, police have investigated at least 100 women for having abortions in the last five years, highlighting the urgent need for reform.

Under the current framework established by the 1967 Abortion Act, abortion is legally permitted up to 24 weeks of pregnancy, provided two doctors agree that continuing the pregnancy would be riskier for the woman's physical or mental health than terminating it. Beyond the 24-week mark, abortions are only allowed in exceptional circumstances, such as if the mother's life is at risk or the fetus has a severe abnormality. Despite this, abortion care remains criminalised under an 1861 law that technically exposes women who terminate pregnancies without legal authorisation to punishment, including potential life imprisonment. However, the actual prosecution of women remains rare. The proposed amendments seek to disentangle abortion from criminal law, overseeing it instead under medical regulation akin to other healthcare practices.

This legislative push has garnered significant cross-party support, with 177 MPs backing the amendment, alongside endorsement from 50 leading medical bodies, women's rights organisations, and healthcare providers, including the Royal College of Obstetricians and Gynaecologists and the British Medical Association. The government has indicated that any parliamentary vote on decriminalisation will be a matter of conscience for individual MPs, reflecting both the complexity and sensitivity of the issue.

The campaign for decriminalisation has gained fresh momentum following the overturning of Roe v Wade by the US Supreme Court in 2022, which stripped millions of American women of their legal right to abortion and emboldened anti-abortion groups internationally, including in the UK. Advocates argue that maintaining abortion within criminal law perpetuates stigma and fear, and disadvantages some of the most vulnerable women—such as those with mental health issues, domestic abuse victims, or young women facing family opposition—who may resort to abortion outside regulated pathways due to desperation. Sarah Salkeld, deputy medical director at MSI Reproductive Choices, told a leading publication that prosecuting women in such circumstances neither serves their best interests nor public health, especially when numbers potentially affected are very small.

Meanwhile, the broader context of abortion rights in the UK continues to evolve. In October 2024, England and Wales enacted legislation banning protests within 150 metres of abortion clinics to prevent intimidation of patients, a move praised by pro-choice advocates but criticised by religious groups as an infringement on freedom of expression. The law’s practical applications remain under scrutiny, particularly regarding whether silent prayer near clinics is considered illegal.

The UK’s abortion laws remain a patchwork compared to other countries with progressive frameworks such as France, Ireland, Canada, and Australia. Northern Ireland, for instance, retains stricter abortion laws, complicated by political dynamics linked to historical alliances and recent referenda in the Republic of Ireland that shifted the regional landscape. The differences underscore ongoing regional disparities and the challenges of uniform reproductive rights across the UK.

With public opinion strongly supportive of women’s abortion rights and growing alarm over the criminal justice system’s involvement in abortion care, this latest parliamentary attempt signals a crucial opportunity to modernise what critics call an archaic legal framework—dating from a time when life-altering factors such as chimney sweeps and public executions were realities. Reformers emphasise that safe, confidential, and non-criminalised abortion care aligns with gender equality and public health priorities in the 21st century, moving away from fear and punishment towards support and dignity for all women.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html), [[4]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html)
* Paragraph 2 – [[1]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html), [[5]](https://www.bpas.org/our-cause/campaigns/briefings/abortion-law-in-great-britain), [[6]](https://www.inews.co.uk/news/uk-abortion-laws-victorian-legislation-reform-2408181)
* Paragraph 3 – [[2]](https://www.ft.com/content/4135e2ae-330c-471a-bb08-a80d69524773), [[4]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html)
* Paragraph 4 – [[1]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html), [[4]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html)
* Paragraph 5 – [[3]](https://www.apnews.com/article/5909e44c8305aefaad1569896b61f51b)
* Paragraph 6 – [[2]](https://www.ft.com/content/4135e2ae-330c-471a-bb08-a80d69524773), [[7]](https://www.time.com/5302835/irelands-abortion-referendum-theresa-may/)
* Paragraph 7 – [[1]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html), [[4]](https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html), [[6]](https://www.inews.co.uk/news/uk-abortion-laws-victorian-legislation-reform-2408181)

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## Bibliography

1. <https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html> - Please view link - unable to able to access data
2. <https://www.ft.com/content/4135e2ae-330c-471a-bb08-a80d69524773> - In 2023, MPs in England and Wales proposed amendments to decriminalise abortion, aiming to change a 1861 law that made abortion illegal without medical authorisation. The 1967 Abortion Act permits abortions up to 24 weeks if two doctors certify it. However, increased police investigations into alleged illegal abortions have raised concerns. MPs have introduced amendments to decriminalise abortion through the criminal justice bill, with at least one amendment expected to receive a free vote. Public support for women's abortion rights is high, and proponents argue decriminalisation is necessary to protect women's health and rights, aligning with practices in France, Ireland, Canada, and Australia. Critics, such as Right To Life UK, worry it could lead to more abortions for non-medical reasons. The government has stated that any change will be a matter of conscience for individual MPs.
3. <https://www.apnews.com/article/5909e44c8305aefaad1569896b61f51b> - In October 2024, the UK implemented a ban on protests within 150 meters of abortion clinics in England and Wales, aiming to prevent obstruction, influence, or distress to those accessing abortion services. Offenders face unlimited fines. This move aligns with similar legislation in Scotland and Northern Ireland. However, there is uncertainty regarding whether silent prayer near clinics is considered illegal. The Crown Prosecution Service states that silent prayer does not necessarily constitute a criminal offense, subject to individual police assessment. The law faced delays due to debates over silent prayer protests and a government change. The legislation aims to enhance safety for women but faces criticism from religious groups citing an infringement on religious freedom. Pro-choice advocates assert that silent anti-abortion prayers can be distressing and intimidating for women. The law sets a complex precedent likely to result in court challenges.
4. <https://www.independent.co.uk/voices/decriminalise-abortion-vote-mps-stella-creasy-b2770990.html> - In June 2025, Labour MPs Stella Creasy and Tonia Antoniazzi tabled amendments to the Crime and Policing Bill, seeking to decriminalise pregnancy terminations without changing abortion care provisions. This follows reports that police have investigated at least 100 women for having an abortion in the last five years. The amendments have been backed by 177 cross-party MPs and 50 leading medical bodies, women's rights groups, and healthcare providers, including the Royal College of Obstetricians and Gynaecologists and the British Medical Association. MPs were set to vote on it, highlighting the urgency to reform abortion laws in the UK.
5. <https://www.bpas.org/our-cause/campaigns/briefings/abortion-law-in-great-britain> - The 1967 Abortion Act legalised activities that would otherwise constitute a crime under the Offences Against the Person Act 1861. The Act permits abortions up to 24 weeks if two doctors agree that continuing the pregnancy would risk the woman's physical or mental health. After 24 weeks, abortions are allowed in specific circumstances, such as risk to the woman's life or severe fetal abnormality. The Act does not apply to Northern Ireland, where abortion laws remain governed by the Bourne Decision.
6. <https://www.inews.co.uk/news/uk-abortion-laws-victorian-legislation-reform-2408181> - The 1967 Abortion Act legalised actions that would otherwise be considered a crime under the Offences Against the Person Act 1861. The Act permits abortions up to 24 weeks if two doctors agree that continuing the pregnancy would risk the woman's physical or mental health. After 24 weeks, abortions are allowed in specific circumstances, such as risk to the woman's life or severe fetal abnormality. The Act does not apply to Northern Ireland, where abortion laws remain governed by the Bourne Decision. Calls for reform have intensified due to increased police investigations into alleged illegal abortions and public support for women's abortion rights.
7. <https://www.time.com/5302835/irelands-abortion-referendum-theresa-may/> - The Irish vote to repeal its near-total abortion ban in 2018 placed British Prime Minister Theresa May in a difficult position. Northern Ireland, part of the UK, still maintains strict abortion laws, creating a stark contrast with the rest of the UK, where abortion laws have been liberal since 1967. However, Northern Ireland's government had collapsed, and legislative powers had defaulted to London, putting May under pressure to resolve the issue. May’s political alliance with the anti-abortion Democratic Unionist Party (DUP) complicated matters, as any move to lift the abortion ban could jeopardise her government’s stability. This situation was further intensified by the recent referendum in the Republic of Ireland, where a significant majority voted to repeal their abortion laws and the potential ruling by the UK Supreme Court on whether Northern Ireland's abortion ban violates human rights.