

Main aspects of forensic medicine's expertise in case of providing an illegal abortion manipulation in Poland: history; abortion as an acute problem of the modern polish society; a key role of forensic medicals in legal regulation of this question

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Abortion questions are not new in the sphere of medical discussions in Poland. Especially, this topic became more acute in 2016, when it was no citizen, who could not be interested in this problem. Let us speak and describe the main aspects of taking up position of abortion manipulations in Poland. In 1993 Polish Parliament accepted the law in sphere of 'Family planning, protecting of the fetus and conditions of pregnancy interruption'. according to this law, providing abortion service was permitted only in few cases, that was strictly described by legislation. And that main cases were: 1) pregnancy in undoubtedly threat for a woman's health; 2) fetus has strong diseases or mature defect; 3) pregnancy was a result of crime.

The number of main conditions to interrupt pregnancy was definitely known: that was term until 12 weeks, as the best term to interrupt the pregnancy in first two cases, because of the fact, that it was a special period, which was described, as a time, when fetus is not formed enough to exist outside of mother's organism. If we speak about confirmation of mature defects of fetus, this fact has to be noted by special medical documentation. To the end, speaking about crime as a result of crime, this fact has to be confirmed by public prosecutor.

Furthermore, we have to emphasize here, that in the frame of this policy, it was planned a couple of law changing in honor of reducing number of abortion manipulations (as well as legal as illegal ones), improving birthrate, reducing number of undesirable pregnancies, as well as improving the social level of responsibility for children and newborns. In addition, Polish Parliament get a new responsibilities in the sphere of securing of needy women. Moreover, in schools we could find new special didactic courses devoted to sexual education.

As a person, who was responsible for illegal abortion manipulation, was recognized a doctor, or a person who has been helping with organization of pregnancy interruption services.

Such situation was unchangeable until 2016. In 2016 family law in the sphere of abortion was changed in the way, that it was attracted an attention of all citizens at the same time.

According to official department there are few legal abortion manipulation take place in the country annually, more or less 800-1000 cases.

But, by taking into account modern data (Polish Parliament, Eurostat), we can make such conclusions as: from 1994 to 1996 the highest rate of abortion reasons

was dedicated to such reason as existing of serious threat for life or health of women. If we speak about mature defects or crimes, like reasons for pregnancy interruption, it was just a small number of cases thought.

In 1997 prevailed such data in statistics, that abortion manipulations were dedicated to social reasons. Moreover, such indexes coincided with law changing in this sphere. But we also have to underline, that the number of abortions because of immature or defects in mature of fetus, or because of serious threat for mother's health was not reduced as well.

In 1998 the main reason for providing an abortion service was threat for mother's health thought.

But, from 1999 till 2012 prevailed mostly mature defects as the main aims for pregnancy interruption. However, at the same time we can consider reducing number of abortions connected with threats for mother's health. We have to emphasize also, that it was really low rate of interruptions connected with committing sexual crimes in the period from 1996 till 2007.

According to all important facts, we have been talking about previously, we should to underline more strictly one strange correlation: why in 1997 rate of abortions in the country was higher than 3000 cases per year, when in other times it was no numbers bigger than 300-800 cases annually?

According to official data it is absolutely impossible to estimate a real number of abortion cases among polish women and it is obvious fact, even for people who are strictly against these manipulations.

It is commonly acknowledged, that mostly polish women for getting an abortion service went somewhere abroad. Moreover, from time to time, even being abroad they use an illegal services to interrupt their pregnancy. So, according to this situation, this abortion manipulation could not be noticed as official cases not just in their home country, but in country, where this manipulation took place, too.

We also cannot notice or estimate in objective way, how many abortions woman can do by herself at home, by using different types of toxic substances or special pills?

We should also take into account one very valuable fact, that there are a couple of doctors, who, in sphere of providing their private medical service, can made such abortion manipulations illegally as well.

According to official data of international organization of family planning, which is strictly against abortion to the point, we can say, that more than 80 or even 100 thousands of polish women interrupt their pregnancies annually. This data cannot be reliable enough, though. It can be regarded mostly from the side of comparing of number of statistics. Moreover, this organization approved, that this data can be used just for comparing situations in different years. According to this fact we can notice, that in 1988 in Poland was made more than 105 thousands of abortions. However, in 1997 it was just more or less 700 cases of this manipulation.

Moreover, here we can add an official data of polish social organization CBOS. According to their statistics, we can say, that in 2013 abortion

manipulation was provide for every 4th woman in Poland (it is more or less 4,5-5 millions of women in the country).

Contrary, presenters of organizations that constantly asking for permission for providing abortion manipulation normally and wide, are mostly against such statistics. They disagree, that the rate of illegal manipulations can be so high.

However, we can also add here, that people who are mostly against of abortion emphasize, that mortally consequences of illegal manipulations are not such often, too. As a confirmation of this fact, they talk about data of different organizations, where we can see, that in the period from 1997 till 2013 it was just 1 woman death after such illegal manipulation.

But, if we will trust this statistics and in particular this data, which tells about such a low rate of abortion generally, how we can explain then a real situation of a low birthrate in the country? Of course, we cannot cross a real situation of something, that is called growing old of population, but, undoubtedly, it is not such a great problem which can really in such strange way affect on the number of population and on the birthrate in the country in particular.

We can also provide here a special data, telling about the fact, that after prohibition of abortion in the country, polish women began more and more often refuse from possibility to be a mother (this situation can be seen more or less 3,7 cases among 1000 children).

In 2016 Polish Parliament wanted to make a prohibition of the abortion manipulation more strictly than it was sometime ever. To use this special services legally, women, according to new legislative changing, should have special reasons as threat for health or life. Moreover, responsibility for this manipulation since this time was not just from the doctor's side, but from the woman's side as well. In addition, all cases connected with this manipulation should be punished, from abortion directly, to even trying to provide this service. At the end we can say also, that all cases of miscarriage should be investigated as well, to exclude possibility of affection to this process from the woman's side.

Until this changing was not added into family law, in country took place a lot of protests dedicated to this problem.

But, this question is still opened and acute. Moreover, according to country's pole, more than half of polish population supports possibility of abortion prohibition.

But, we should not also forget about such fact, as according to this prohibition, possibility of using an abortion manipulation will be addicted from medical confirmation of existing threats for woman's health and life. But, it is acknowledged, that it is not such an easy procedure to get this conformation, even in case of real having such threats. According to this fact, term of pregnancy will increase, and threats for mother's life as well, so we can just partly predict real consequences of this legal prohibition. Moreover, let us speak about religious believes of some doctors in this sphere. And let us remember, that couple of doctors will refused from abortion in such danger cases just because of their personal points of view in question of abortion.

Here, we should also tell, that there are really just a few cases of abortion manipulation as a result of criminal pregnancy. And not because not because of the low rate of sexual crimes, but because of the unclear institution of abortion in such situations.

We have already described such factors, connected with abortion, as birthrate, mortal consequences for mothers, as well as crimes.

But we still cannot understand why public prosecutors or all other people who support an idea of legalization of abortion institution do not want to take into account all negative consequences of providing illegal abortion manipulation? But, it is known, that woman after such consequences mostly ask for a help in the nearest hospital and she get a reveal after this illegal procedure. But, during this time, we have to underline, that staying in hospital is always connected with such consequences as losing the possibility for work or active living generally. Moreover, I can be also connected with destroying the reproductive function as well. So, after this conclusion, if we can speak about the fact, that the law birthrate can be explained by high rate of illegal abortion with couple of negative consequences, too? Mostly speaking about the fact, that near the getting old of population, we can see an increasing the number of women who cannot give birth, despite of the fact of being in reproductive age. Moreover, we should not definitely forget about the fact, that in general age of giving birth among polish women is incredibly high (mostly after 30). in such age we can notice partly in all cases a lot of chronic diseases that can directly affect to pregnancy interruption because of high possibility to have negative consequences for fetus or mother as well.

Another question can be asked for people who support against-abortion-policy. As we can see, that number of cases of mature defects of fetuses is increased, so, why we should prohibit to interrupt this pregnancy? Shall we really try to increase a birthrate in such way?

But we should notice here, that woman, who found out, that in her organism grow a fetus who would not have a possibility to live after birth or it will be an invalid in future, she feel a psychical and emotional stress without doubts. And in this situation we try to prohibit to interrupt her pregnancy. Which consequences can be in this situation? Absolutely unpredictable we should say! Woman in this situation can use not just illegal abortion manipulation services, here we could find a possibility for suicidal trying as well. So, why all people, who against abortion as well as priest want to prohibit this manipulation in such situations? How can we prohibit it, by exposing this woman, her family and this child at the end for this strange endless torment? Moreover, let us remember, that there are a couple of examples, when there is a possibility of giving birth to unhealthy child because of the external factors, like medicines or irradiation? In such situation, after prohibition of asking for abortion and giving birth to unhealthy child, woman will be afraid of giving birth again, and she will just use pregnancy interruption services illegally in the future, despite of the fact, that maybe she could later give birth to healthy and normal children.

Why, as well, neither church, nor all people who support against-abortion policy, do not think about woman's emotion during all period of pregnancy. If it is

easy to continue to feel moving of the child in the belly, to love this child and constantly understand, this small person can die after birth. Moreover, pregnancy is not an illness, but it is undoubtedly difficult physical situation for woman's organism. Moreover, in couple of cases it can be connected with threats also. So, if this child would not really have chance to live, shall we take such risks, especially in situations, when mother will give birth for a first time particularly?

If we speak about abortion in general, we should emphasize, that mostly, if polish woman want to use abortion services, she use it abroad and illegally, what is more important. But, if it will be affected by negative consequences, all process of rehabilitation will be taken here, in Poland. But shall we speak about lack of interesting to reproductive health of women from the side of foreign doctors? It is obvious situation, they are interested in health of their women, not in foreign women. In situation with providing abortion services for polish women in particular, they are interested in collecting more and more money for this procedure, anything else, unfortunately.

By returning to question of criminal pregnancy, we should also add, that saving of this pregnancy is inexpedient. This pregnancy affects negatively not just to physical health of woman, but to mental one as well. So, we should not definitely make this women think about reason of this pregnancy, and, of course, we are not allowed to prohibit this woman to use a medical service for interrupting this pregnancy, if, undoubtedly, saving of this pregnancy would not be a woman's rational decision. It is also such an unclear situation, why we should prohibit abortion manipulation for women from needy families? In this situations we just affect on increasing the number of needy and poor people in country? Why should be create such negative social situation? Why this social factor could never be taken into account? Maybe firstly we should speak about individual financial support for this families, before abortion prohibition?

To sum up, as we analyzing all previous data, we should get such logical conclusions, as: in Poland our legislative base should be changed particularly in such moments: 1) increasing of responsibility of doctors and women for providing illegal abortion manipulation; 2) permitted using the interruption pregnancy services according to social factors.