

CASE REPORT

Termination of Pregnancy for Patient with Intellectual Disability: A Case Report

Nor Salhana Mohammed Wazir and Umi Adzlin Silim

Department of Psychiatry and Mental Health,
Hospital Kuala Lumpur, Malaysia

Abstract

Women with intellectual disability are more vulnerable to sexual abuse due to their poor cognitive ability and interpersonal skills which can result in unintended pregnancy. Due to social and economic factors, including being a victim of rape, termination of pregnancy has often been contemplated. In this case report, we illustrate a case of a young lady with intellectual disability who was raped, with her carer subsequently requesting for termination of the pregnancy. In Malaysia, decision to perform termination of pregnancy must take into consideration the legal, medical, mental health and religious aspects. Psychosocial factors need to be addressed to prevent future unintended pregnancy.

Keywords: Intellectual Disability, Unintended Pregnancy, Termination of Pregnancy, Abortion

Introduction

Between 2010 and 2014, about 25% of pregnancies worldwide ended up with an abortion, with higher rates in the developing countries [1]. Even though performing the act of abortion or termination of pregnancy is illegal in Malaysia, termination of pregnancy is still allowed if the pregnancy itself can cause harm or physical or mental injury to the mother as spelled out in Section 312, Act 547, Penal Code [2]. There are a few factors leading to unsafe abortion among adolescent and young women, namely poor socioeconomic background, social disapproval, being forced by parents or partner and victim of rape [3].

Women with intellectual disability have been subjected to a greater number of incidents of sexual assault and violence compared to the normal population which can be attributed to poor judgement as a result of cognitive impairment, lack of awareness about sex education, misunderstanding of a sexual act as an act of love, inability to refuse or resist due to poor interpersonal skill, inability to recognise that they are being sexually abused and abusers' attraction towards their vulnerability [4,5,6,7]. Unintended pregnancy is one of the consequences of the sexual abuse inflicted on this group of people.

In Victoria, Australia; where abortion is legal up to 24 weeks of pregnancy and

approval of 2 medical practitioners is required thereafter [8], a study demonstrated 50% of women with cognitive impairment including the intellectually disabled who had unwanted pregnancy underwent termination of pregnancy [9]. The number can be higher if the pregnancy can be recognised earlier. Most of the time, the decision to terminate the pregnancy is influenced by the carers [9]. Within the allowance of abortion law in Malaysia, is termination of pregnancy the sole solution to address the issues of unintended pregnancy among this cohort considering their susceptibility for sexual exploitation?

Case Report

Miss NNN, a 21 years old lady with underlying intellectual disability, was referred for psychiatric assessment in view of her carer's request for termination of pregnancy. She was diagnosed with Börjeson-Forssman-Lehman Syndrome; a rare genetic disorder characterized by obesity, seizures, hypogonadism, distinctive facial features and intellectual disability [10]. In her case, Miss NNN exhibited prominent supraorbital ridge and ptosis with intellectual disability. She is the 8th out of 10 siblings and stayed with her mother and other siblings after her parents separated in 2003. She has no formal education. As her mother is a single breadwinner with other siblings not living at home, Miss NNN would spend most of her time wandering in her flat area without supervision.

Due to her very poor intellectual ability, she was easily manipulated resulting in her being raped at the age of 19. This first episode of rape resulting in a pregnancy which then ended with induced abortion in a private clinic funded by the perpetrator. There were 2 more episodes of alleged rape after that by her neighbour. A police report

was made after the last alleged rape as the mother wanted justice for her daughter who had been victimized and she felt betrayed by the people in the neighbourhood. As part of the assessment of her intellectual function which is integral for police investigation, IQ testing revealed that her general intellectual ability was at very poor range and she demonstrated mild to moderate deficit in adaptive behavior, thus her intellectual disability was rated as severe.

While the police investigation was ongoing, she was allegedly raped again by the same neighbour about 6 months after her first contact with psychiatry and this time she became pregnant. When she was 10 weeks pregnant, her mother requested for termination of pregnancy as she was concerned of patient's poor self-care and difficulties coping with her pregnancy. In addition, she was worried of financial issues and stigma of having a pregnant daughter out of wedlock.

Discussion

Termination of pregnancy has always been a controversial issue. Women are fighting for their reproductive right and having control over their body including deciding on continuation or termination of pregnancy but at the same time, the baby who is unborn has the right to live as well. Therefore, it is important to have good understanding on this issue based on the perspective of law, medical, mental health, religion, socio-culture and moral values [11].

There are different laws governing termination of pregnancy worldwide; some countries strictly prohibit it, some allow it for medical reasons while some have no restriction at all [12]. Malaysia is among the countries which allow termination of pregnancy under medical grounds affecting

physical and mental health [2]. A revised guideline for termination of pregnancy is currently being developed which spelled out that mental health injury may occur in conditions which may lead to life-threatening situations to the pregnant mothers such as chronic mental illness with significant risk of harm to self and others (schizophrenia, bipolar mood disorder and intellectual disabilities), high risk of suicide related to the pregnancy and also the possibility of developing severe mental illness at the current point or long term secondary to the pregnancy (eg: post-traumatic stress disorder in rape victim) [11].

Islam; the official religion in Malaysia, prohibits termination of pregnancy when there are no valid reasons. The other religions hold the same stance [13]. Among Muslims, termination of pregnancy is allowed when the pregnancy itself poses a risk to life of the mother. According to a fatwa issued in Malaysia, as for rape victim, termination of pregnancy should be carried out if the pregnancy is less than 120 days under the condition that the foetus is malformed and can harm the mother's life [13]. Beyond 120 days, it can only be performed if the mother's life is endangered due to the pregnancy [13]. For women with intellectual disability, a fatwa allows termination of pregnancy if the mother's IQ is less than 80 and the age of pregnancy is less than 120 days [13]. After that period, termination of pregnancy is prohibited except if the pregnancy poses a significant danger to mother's life [13].

A thorough assessment needs to be done before deciding for termination of pregnancy. In Miss NNN's case, there was no medical indication for termination of pregnancy. From a psychiatric aspect, she had difficulties in self-care and needed

support in most of the aspect of daily living. She had impaired ability to understand her pregnancy needs, consequences of the pregnancy and coping with the whole process. On parenting capacity, she was simplistic in her future planning which did not suggest her capability of minding a child even though this was not major factor in deciding for termination of pregnancy as the baby can be placed for adoption later.

Based on these assessments and taking into account the severity of her intellectual disability, termination of pregnancy was indicated for Miss NNN. She was 12 weeks pregnant when the termination of pregnancy was performed. However, we have to bear in mind that termination of pregnancy is not the sole solution for her in the long run. Termination of pregnancy did not reduce the risk of her of being pregnant again as shown in her history. It did not protect her from being raped as well.

Her long term plan involved a multidisciplinary approach between psychiatry, gynaecology and social work teams on how best to help her. Contraception is to be used to prevent future pregnancy although it doesn't reduce the risk for sexual encounter. Since her current accommodation posed a high risk for her as the perpetrator was still staying there, the patient was placed in a shelter home during the time of police investigation and court proceedings where she would be trained on self-care, social skills and provided with sexual education appropriate to her cognitive ability. She was planned to be placed in one of her sibling's house who can provide a safer place for her.

In conclusion, termination of pregnancy should not be seen as the sole solution to management of unintended pregnancy in a patient with learning disability. Psychosocial

factors need to be addressed to prevent patients with learning disability from sexually manipulation or abuse that may lead to unintended pregnancy.

References

- [1] Preventing unsafe abortion [internet]: World Health Organization. c2019 [cited 2020 Mar 15]. Available from: <https://www.who.int/news-room/fact-sheets/detail/preventing-unsafe-abortion>.
- [2] Act 574 Penal Code, (2018).
- [3] Olukoyaa AA, Kayaa A, Ferguson BJ, AbouZahr C. Unsafe abortion in adolescents. *International Journal of Gynecology & Obstetrics*. 2001;75:137-47.
- [4] Hayes S. Sexual Violence against Intellectually Disabled Victims', in Patricia Eastal (ed.) *Without Consent: Confronting Adult Sexual Violence: Proceedings of a Conference*; 1993; Canberra, Australia: Australian Institute of Criminology.
- [5] Hughes RB, Lund EM, Gabrielli J, Powers LE, Curry MA. Prevalence of interpersonal violence against community-living adults with disabilities: a literature review. *Rehabil Psychol*. 2011 Nov;56(4):302-19. doi: 10.1037/a0025620.
- [6] Curtiss SL, Kammes R. Understanding the Risk of Sexual Abuse for Adults With Intellectual and Developmental Disabilities from an Ecological Framework. *Journal of Policy and Practice in Intellectual Disabilities*. 2020 Mar;17(1):13-20 doi: 10.1111/jppi.12318.
- [7] Gil-Llario MD, Morell-Mengual V, Díaz-Rodríguez I, Ballester-Arnal R. Prevalence and sequelae of self-reported and other reported sexual abuse in adults with intellectual disability. *Journal of Intellectual Disability Research*. 2019 Feb;63(2):128-48 doi: 10.1111/jir.12555.
- [8] Abortion Law Reform Act 2008.
- [9] Burgen B. Women with Cognitive Impairment and Unplanned or Unwanted Pregnancy: A 2-Year Audit of Women Contacting the Pregnancy Advisory Service. *Australian Social Work*. 2010 March;63(1):18-34.
- [10] Börjeson-Forssman-Lehman Syndrome [internet]: National Organisation for Rare Disorder. c1994 [updated 2018; cited 2020 Mar 15]. Available from: <https://rarediseases.org/rare-diseases/borjeson-forssman-lehman-syndrome/>.
- [11] Umi Adzlin S. Pengenalan kesehatan mental dan pengguguran: modul latihan penilaian kecederaan kesehatan mental untuk pengguguran [PowerPoint slides] 2018. Retrieved from original author.
- [12] Singh S et al., *Abortion Worldwide 2017: Uneven Progress and Unequal Access*, New York: Guttmacher Institute, 2018.

<https://www.guttmacher.org/report/abortion-worldwide-2017>.

pregnancy (TOP) for hospitals in the Ministry of Health, Putrajaya: MoH; 2012.

[13] Ministry of Health Malaysia.
Guidelines on termination of

Corresponding Author

Dr Nor Salhana Mohammed Wazir
Department of Psychiatry and Mental Health
Hospital Kuala Lumpur,
Jalan Pahang
50585 Wilayah Persekutuan Kuala Lumpur,
Malaysia

Email: salhana_5577@yahoo.co.uk