

Discussion Box 4.1

Contraception and the European courts

The issue of contraception is one issue that the ECJ and the ECtHR do not appear to agree upon. In *Society for the Protection of Unborn Children v Grogan*,¹ the European Court of Justice permitted an Irish court to grant an injunction preventing student groups from distributing information on abortion services available in the UK. Conversely, in *Open Door Counselling and Dublin Well Women v Ireland*,² the ECtHR held that an injunction preventing counselling services from providing pregnant women with information on abortion services was held to be in breach of Art 10 ECHR (right to freedom of expression).

¹ Case C-159/90 [1991] ECR I-4685.

² (App no 14234/88 and 14235/88) (1993) 15 EHRR 244.