

## Turning Mothers into Bioethicists: Late Abortion and Disability

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In 1990, the UK Parliament amended the law to permit, without time restriction, the abortion of a foetus at substantial risk of serious handicap. The amendment was not uncontroversial at the time. During the course of the parliamentary debate, opponents claimed that the amendment was so vaguely worded that it could permit the termination, at any stage up until birth, of a foetus with a cleft palate or hare lip (Finnis, 2005). There was even some disquiet within the medical community. In a letter published by *The Lancet*, it was predicted that the issue of third trimester abortion for disability would “come to public attention in some, perhaps, dramatic way” (Lilford and Thornton, 1993).

It appears that both of these predictions have now come to pass. Joanna Jepson, an Anglican curate, captured headlines in the UK when she alleged that two Birmingham doctors had acted unlawfully by performing a third trimester abortion for bilateral cleft lip and palate. At around the same time, the Australian press reported the abortion of a 32-week foetus with non-lethal dwarfism at Melbourne’s Royal Women’s Hospital. This case also received wide media coverage, due in part to the interventions of Senator Julian McGauran who, like Jepson, protested loudly and publicly that the abortion was unlawful. Significantly, neither case resulted in the attribution of criminal responsibility to those involved.

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