

- 1 Standing Medical Advisory Committee and Standing Nursing and Midwifery Advisory Committee Working Party. Report on screening for congenital dislocation of the hip. *Arch Dis Child* 1986;61:921-6.
- 2 Sanfridson J, Redlund-Johnell I, Uden A. Why is congenital dislocation of the hip still missed? Analysis of 96 891 infants screened in Malmö, 1956-1987. *Acta Orthop Scand* 1991;62(2):87-91.
- 3 Moore FH. Examining infants' hips - can it do harm? *J Bone Joint Surg [Br]* 1989;71:4-5.
- 4 Paterson CR, Beal RJ, Dent JA. Osteogenesis imperfecta: fractures of the femur when testing for congenital dislocation of the hip. *BMJ* 1992;305:464-6.
- 5 Leck I. An epidemiological assessment of neonatal screening for dislocation of the hip. *J R Coll Physicians Lond* 1986;20:56-61.
- 6 Barlow TG. Early diagnosis and treatment of congenital dislocation of the hip. *J Bone Joint Surg [Br]* 1962;44:292-310.

- 7 Clarke NMP. Sonographic clarification of the problems of neonatal hip instability. *J Pediatr Orthop* 1986;6:527-32.
- 8 Tredwell SJ. Economic evaluation of neonatal screening for congenital dislocation of the hip. *J Pediatr Orthop* 1990;10:327-30.
- 9 Kernohan WG, Cowie GH, Mollan RAB. Vibration arthrometry in congenital dislocation of the hip. *Clin Orthop* 1991;272:167-74.
- 10 Stone MH, Clarke NMP, Campbell MJ, Ricardson JB, Johnson PA. Comparison of audible sound transmission with ultrasound screening for congenital dislocation of the hip. *Lancet* 1990;336:421-2.
- 11 Clarke NMP, Clegg J, Al-Chalabi AN. Ultrasound screening of hips at risk for CDH: failure to reduce the incidence of late cases. *J Bone Joint Surg [Br]* 1989;71:9-12.

Abortion in Ireland

Confused on both sides of the border

Irish abortion laws are in a mess. In both countries abortion is illegal, although differences exist.¹ In 1983 an amendment to the republic's constitution was passed, supported by two thirds of the voters, guaranteeing the fetus the same right to life as its mother. The campaign proved divisive, and since then the issue has been simmering. Conflicts have arisen over an interpretation of this amendment, which specified that providing information about abortion was forbidden.² (The fact that the Irish High Court has recently banned students from providing information on abortion is hardly likely to settle the matter (p 442).^{2a})

The matter came to a head earlier this year when a 14 year old girl who had come to England with her parents for an abortion was ordered back to the republic by the court. Subsequently the Irish Supreme Court effectively changed the law and decided that abortion in the republic could be legal if pregnancy was a "real and substantial risk" to a woman's life. (The pregnant teenager in this case had threatened suicide.³) Although this ruling allowed the girl to have her abortion in the republic, she decided to return to England for the operation.

The decision still leaves much unresolved. For example, uncertainty still surrounds pregnant women's right to travel. Since the ruling the office of the Irish director of public prosecutions has seemingly changed its practice: when a young man tried to persuade the police to prevent his former girlfriend travelling to England for an abortion he was advised that it was a private matter.⁴ The antiabortionists now want a referendum to make abortion totally illegal again and were disappointed in failing to persuade voters to reject the Maastricht treaty, which, they believed, would enshrine the now too liberal law.⁵ In addition, local commentators have suggested that the abortion issue could lead to a break up of the coalition between Fianna Fáil and the Progressive Democrats (who oppose a restrictive amendment) and result in the government's fall.⁶

The public is now likely to oppose any new restrictive amendment. Once opinion in the republic was firmly against abortion: in a Gallup poll in 1980 four out of five people agreed with a ban on abortion in all circumstances (in Britain the proportion was 12%; in the United States 18%.¹) But opinions have changed: in February this year a poll found that two thirds of those questioned backed changing the constitution to allow limited rights to abortion.⁷ In a poll in April less than a third of both sexes believed that abortion should be illegal in all circumstances. (Among women under 35 only one fifth think that abortion should always be illegal.⁸) Attitudes have therefore moved nearer to those in other countries, and a restrictive amendment would be divisive.

Northern Ireland does not have the Abortion Act 1967, and it has been argued that even the 1938 Bourne judgment

legalising abortion in cases of rape does not apply.⁹ This may explain why in 1986 a major teaching hospital decided at the last moment not to proceed with an abortion on a 14 year old after rape (W Rolston, personal communication). Although carrying out abortion for fetal handicap or incest is not illegal, this has led to much confusion and uncertainty. To assess the situation more fully I wrote this June to all 43 Northern Irish consultant gynaecologists listed in the *Medical Directory*; so far 33 have responded, of whom one had retired. Nineteen said that they would perform an abortion for fetal handicap while three said that they would not. The 10 others said it "depends"—in one case on whether fetal handicap was incompatible with life. Nineteen said they would carry out abortion for rape; similar numbers would do so if the woman tested positive for HIV or if her health was at risk.

These practices have developed with no legal support, which should be remedied. A strong case can be made for extending the law. The Department of Health and Social Security, Belfast, is apparently concerned about the problems of women who have to travel from Northern Ireland to England for their abortions but has said that the law could be extended only if change would "command broad support within the Province" (D Evans, personal communication to M Simms, 1988). Public opinion polls now support such a change. A poll of 651 adults aged 16-45 in February asked whether abortion should be legal in different circumstances. Four out of five said that it should be legal "where a doctor advises this as necessary to maintain the physical or mental health of the woman." Three out of four agreed with abortion in cases of rape or incest.¹⁰

The case for broadening the law seems unanswerable; the best solution would be to extend the Abortion Act 1967 to Northern Ireland. Women from Northern Ireland would no longer have to come to Britain for their abortions (1766 last year) and, if the government gave permission for one of the charities to open up a clinic near the border, neither would women from the republic (4158 last year).¹¹

COLIN FRANCOME

Lecturer,
Middlesex University,
London NW4 4BT

1 Francome C. *Abortion freedom*. London and Boston: Unwin Hyman, 1984.

2 Francome C. *If you ever go across the sea to England*. London: Health Research Centre, Middlesex University, 1991.

2a Murdoch A. Irish student leaders gagged over abortion. *BMJ* 1992;305:442.

3 Finlay JT. Substantial risk of suicide is main reason for allowing appeal. *Irish Times*. 1992 March 6:4(col 1).

4 Irish Turmoil. *Human Concern* 1992;34:1.

5 Joyce J, Bowcott O. "Pro-lifers" count cost of defeat. *Guardian* 1992 June 20:11.

6 Kelleher K. Abortion row threatens government. *Irish In Britain News* 1991;2(23):1(col 1).

7 Coghlan D. 66% Favour altering abortion ban. *Irish Times* 1992 March 2:1(col 1).

8 Francome C. Public opinion in Ireland. *Breaking Chains* 1992;56:3.

9 International Tribunal. *Abortion in Northern Ireland*. Belfast: Beyond the Pale Publications, 1989.

10 *Grounds for abortion in Northern Ireland*. Belfast: Ulster Marketing Surveys, 1992.

11 Office of Population Consensus and Surveys. *Legal abortion, March quarter 1991; June quarter 1991; September quarter 1991; December quarter 1991*. London: Government Statistical Services, 1991-2. (AB 91/5; AB 92/1; AB 92/2; AB 92/3.)