**Abortion Services (Safe Access Zones) (Scotland) Bill**
**RCGP Scotland consultation response**

**July 2022**

**Which of the following best expresses your view of the proposed Bill?**

 **X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please elaborate on your response.**

RCGP Scotland welcomes the opportunity to respond to this consultation. As the membership body for general practitioners in Scotland we exist to promote and maintain the highest standards of patient care. RCGP Scotland is fully supportive of the proposed Bill which would enable women to access, and healthcare professionals to provide, a lawful, confidential health service without harassment and intimidation.

While we respect the right of citizens to peacefully protest, we believe that these protests should not take place at health care settings. This is for the protection of patients and staff from fear and alarm, but crucially where there is significant risk of deterring patients from accessing necessary treatment.

Given the recent and increasing reports of protest at healthcare settings that provide abortion services, the College agrees that the current legal protections are inadequate in preventing continual abuse.

**What is your view of the proposal for safe access zones being introduced at all healthcare settings that provide abortion services throughout Scotland?**

**X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please explain the reasons for your response.**

We agree that the existing legislative tools that are currently in use to deal with persistent harassment and protest are insufficient and that they cannot be viewed as affording a consistent level of protection to those people seeking to accessing care safely.

There is concern that if protests are banned via safe access zones only around key reproductive healthcare settings, protests could simply be diverted to other healthcare settings that deliver abortions with implications for staff and patients using co-located services, including GP practices.

Furthermore, GPs can act as a first point of contact for people seeking abortion care, offering advice and making referrals to abortion services, so there is the possibility that this could become a target for protest if other direct abortion care service protests were banned.

**What is your view of the proposal for the ‘precautionary’ approach to be used, in which a safe access zone is implemented outside every site which provides abortion services?**

 **X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please explain the reasons for your response.**

Due to the reported escalation in scale and tactics used by these groups, RCGP Scotland supports the precautionary approach to implement safe access zones outside all sites providing abortion services.

Anti-abortion protests are known to be organised by multiple different groups from across the country. Some groups are known to travel across the country, and to be well funded. A patchwork approach to buffer zones could result in protest groups simply moving their activity to sites not protected by legislation.

We recognise the arguments made that the existing pieces of legislation are insufficient in protecting abortion service users, healthcare professionals and clinic staff. These include the creation of a postcode lottery effect, issues of practicability, high costs incurred, and only being effective retrospectively after the intimidation has already occurred.

**What is your view of the proposed standard size of a safe access zone being 150 metres around entrances to buildings which provide or house abortion services?**

Yes – Support this part of the proposal No – Believe they should be a different standard size No – Believe the size should be decided based on each site No – Do not support the introduction of safe access zones in any form Unsure Other – please detail below

Please explain the reasons for your response.

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**What is your view of the proposal to ban all protests including both protests in support of and those in opposition to: A person’s decision to access abortion services (ie a woman having an abortion)?**

**X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please explain the reasons for your response.**

RCGP Scotland believes that any citizen in Scotland has the right to access health care services, free from intimidation and harassment, regardless of any perceived controversies. Abortion is healthcare.

We respect the right to peacefully protest, but it is our view that the nature of protests that have been observed recently appear to have the aim of deterring access to abortion. This goes against Article 8 of the European Convention on Human Rights (the right to respect for private and

family life, home and correspondence), violates the right to medical privacy, and risks impinging on a patient’s access to necessary treatment.

People can seek abortion care for a multitude of reasons, all of which are valid. Protestors imposing beliefs at a time of vulnerability is exploitation, not care.

RCGP is deeply concerned that protests could cause such distress to women that they defer their treatment. For both medical and surgical abortion, the higher the gestation of a pregnancy, the greater the risk of complications and psychological distress. The British Society of Abortion Care Providers (BSACP) has also reported fear of facing protesters at professional clinics has led women to resort to using drugs obtained from the internet. The drugs may be ineffective, unsuitable, or dangerous, as is taking them without professional advice and aftercare.

We are similarly concerned that protests could deter people from accessing the multitude of other services that can be found at these healthcare settings, such as rape crisis services, counselling services, neo-natal services, sexual health services, LGBT support services, and so on.

**What is your view of the proposal to ban all protests including both protests in support of and those in opposition to: A person’s decision to provide abortion services (ie a doctor, nurse, or midwife)?**

**X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please explain the reasons for your response.**

RCGP Scotland is clear that colleagues working across the health service have the right to work and care for patients free from harassment and without putting their personal safety at risk.

No other field of healthcare experiences regular harassment in this way, which has a detrimental and demoralising impact on their working experience and ability to deliver essential healthcare. RCGP Scotland is clear it is not something staff providing abortion services should have to endure when entering and leaving their workplace.

We note the British Pregnancy Advisory Service (BPAS) report that the largest targeted anti-abortion gathering in the UK took place in Glasgow outside the Queen Elizabeth University Hospital in 2018, with around 200 people attending a candlelit vigil, with the singing and praying being loud enough to be heard in waiting rooms.

In 2022, anti-abortion protests have occurred outside the Sandyford clinic with the use of loudspeakers, which in turn attracted pro-choice counter protests. Protests of all motivations can impede a healthcare professionals' ability to care for a patient as these conflicts create tense atmospheres and noise disturbances.

Furthermore, doctors, nurses and midwives at these facilities are highly trained in providing abortion services. Only they can provide safe medical care and advice, as well as offering the full range of choices to women with comprehensive safeguarding protocols in place. Protesters imposing their beliefs are not qualified to offer the same advice, and the risk that their presence undermines medical advice is dangerous.

**What is your view of the proposal to ban all protests including both protests in support of and those in opposition to: A person’s decision to facilitate provision of abortion services (ie administrative or support staff)?**

**X Fully supportive Partially supportive Neutral (neither support nor oppose) Partially opposed Fully opposed Unsure**

**Please explain the reasons for your response.**

As above, RCGP Scotland is clear that colleagues working across the health service have the right to work and care for patients free from harassment and without putting their personal safety at risk, and this clearly includes administrative and support staff.

Protesters causing intimidation are unlikely to discriminate between those delivering and those facilitating the provision of abortion services.

Repeatedly witnessing the trauma experienced by women seeking abortion who have encountered the protests could in turn cause vicarious distress to administrative or support staff.

**Which types of activity – when done for the purposes of influencing a person’s decision to access healthcare settings including abortion services - do you consider should be banned in a safe access zone?**

**(tick as many from the list as you consider should be covered by the Bill)**

 **Persistently, continuously, or repeatedly occupying the zone**

 **Impeding or blocking somebody’s path or an entrance to abortion services**

**Intimidating or harassing a person**

 **Seeking to influence or persuade a person concerning their access to or employment in connection with abortion services**

 **Demonstrating using items such as leaflets, posters, and pictures specifically related to abortion**

**Photographing, filming, or recording a person in the zone**

 **X All of the above None of these Other (include details below)**

RCGP Scotland considers all these types of behaviour as interfering with a person’s right to seek or deliver abortion care and should therefore be banned in a safe access zone.

The harassment of clinics can take many forms. A number of these types of activity could feel overtly threatening, but even those which could seem innocuous, such as demonstrating using leaflets and so on, can still cause harm.

Leaflets can reinforce stigma and cause distress to anyone attending the clinic or even passing by. Furthermore, they can also contain medical misinformation which is ultimately dangerous for women’s health and safety.

There have been reports that anti-abortion leaflets advertise unproven medication to ‘reverse’ an abortion, and that they make false claims that abortion causes breast cancer, leads to depression and suicidal ideation, and can lead to child abuse. The spread of medical misinformation like this is highly dangerous and hinders clinicians in their ability to provide high quality care.

The recording of a person in the zone violates their right to medical privacy.

Furthermore, the introduction of such zones would not have any impact on anti-abortion activity or campaigns taking place anywhere else.