



The Scottish Parliament
Pàrlamaid na h-Alba

Linda Hodges
Circle Health Group,
Private Hospital Abortion Service
Managers.

Via email only

Health, Social Care and Sport Committee
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5 March 2024

Dear Ms Hodges,

Health, Social Care and Sport Committee Stage 1 scrutiny: Abortion Services (Safe Access Zones) (Scotland) Bill

I am writing further to the Health, Social Care and Sport Committee on Tuesday, 5 March 2024, where the Committee took evidence on the impact of the Bill for those providing abortion services as part of the Committee's Stage 1 scrutiny of the Abortion Services (Safe Access Zones) (Scotland) Bill.

Please do not feel obliged to answer every question and feel free to focus your answers on those questions that appear most relevant to your sphere of interest and expertise:

Theme 1: Impact of the Bill on providers of abortion services

- Have you or any of your colleagues encountered anti-abortion activity at your workplace? If so, would you feel comfortable sharing those experiences?
- In your view, what impact does anti-abortion activity have on staff involved in providing abortion services? How might the introduction of safe access zones address this impact?
- Some of those opposed to the Bill are concerned that patients seeking abortion services are not provided with information about alternatives to abortion, and feel that they can offer "help" to people unsure about their decision. How would you respond to that argument?
- Members have heard concerns that anti-abortion demonstrators provide inaccurate and potentially harmful information to people accessing abortion services. Have you encountered any examples of inaccurate information being provided to patients? In your view, what is the potential impact of distributing this information?

Theme 2: Impact of the Bill on other affected groups

- In your view, how does anti-abortion activity outside clinics affect people accessing abortion services, and what impact could the introduction of safe access zones have for these people?
- How could the introduction of safe access zones impact:
 - people accessing other services at facilities where abortion care is provided?
 - members of the public and passers-by?
 - staff providing other healthcare services offered at protected premises?

Theme 3: Implementation of safe access zones

- Do you agree with the definition of “protected premises” outlined in the Bill?
- Do you have any thoughts or comments on the ‘future proofing’ aspects of the Bill, such as the potential for its scope to be extended in future to include other premises such as those providing support services, GP surgeries and pharmacies?
- What is your view on the proposed 200-metre radius of safe access zones?
- What is your opinion on the provisions for extension and reduction of safe access zones?

Theme 4: Criminal offences and penalties

- Do you support the approach in the Bill of creating criminal offences which cover behaviours rather than a specific list of activities?
- Can you explain any concerns you may have about the wording of the exemption to the criminal offences in the Bill relating to peaceful picketing?
- Do you think that the Bill adequately addresses the potential impact on those accessing protected premises of filming or photography by anti-abortion protesters?
- Have you or your members had any experience of needing to take action – via the police or any other route – in relation to anti-abortion protests. If so, do you have a view on the effectiveness of existing powers or why this legislation might be needed in addition to those powers?

Theme 5: Human rights considerations

- Do you believe the Bill strikes an appropriate balance between the rights of anti-abortion protesters under the European Convention on Human Rights and those of patients and staff to access facilities without intimidation?
- Human rights organisations have suggested there is a need to collect evidence on the impact of the Bill on patients and protesters to ensure ongoing compliance with human rights requirements. What would be the implications of placing an obligation on NHS staff or bodies to do this?
- The Scottish Government accepts that the approach in the Bill – setting up automatic safe access zones of 200m round all protected premises – has the greatest impact on the rights of anti-abortion protesters. Do you think a less restrictive approach could be effective?

Theme 6: Other issues

- Do you have any other issues related to the Bill that you'd like to raise with the Committee?

Deadline for response

To enable the Committee to continue to progress its Stage 1 scrutiny of the Bill in a timely manner, I would request that you provide this information to the Committee **no later than 5pm on Tuesday, 12 March 2024.**

Yours sincerely,



Clare Haughey MSP
Convener, Health, Social Care and Sport Committee