

Health, Social Care and Sport Committee

Abortion Services (Safe Access Zones) (Scotland) Bill – Summary of short survey responses

Background Information

The Health, Social Care and Sport Committee (“the Committee”) [ran a call for views](#) on the [Abortion Services \(Safe Access Zones\) \(Scotland\) Bill](#) (“the Bill”) between 27 October and 20 December 2023. The public were able to respond to two surveys: (1) a short survey on the high-level principles of the Bill; and (2) a more detailed survey assessing respondents’ views on specific provisions of the Bill. This report presents the findings of the short survey.

Further background on the Bill and its purpose can be found in the [SPICe briefing on the Bill](#).

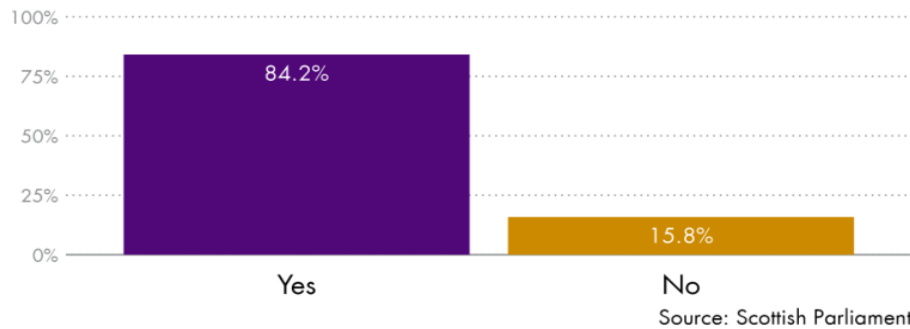
Participants’ Characteristics

The data gathered from the call for views is not intended to reflect a representative sample of the population, but rather to offer a snapshot of the experiences, opinions, questions, improvements, comments and concerns the respondents have about the Bill, so that the broadest span of views can be heard by Members. Respondents to the Parliament’s calls for views are self-selecting, and though the submissions received offer a helpful insight into their views on the key issues surrounding the topic in question, they do not reflect the views of a representative sample of the population.

The Committee received 2,178 responses to the short survey.

Do you live in Scotland?

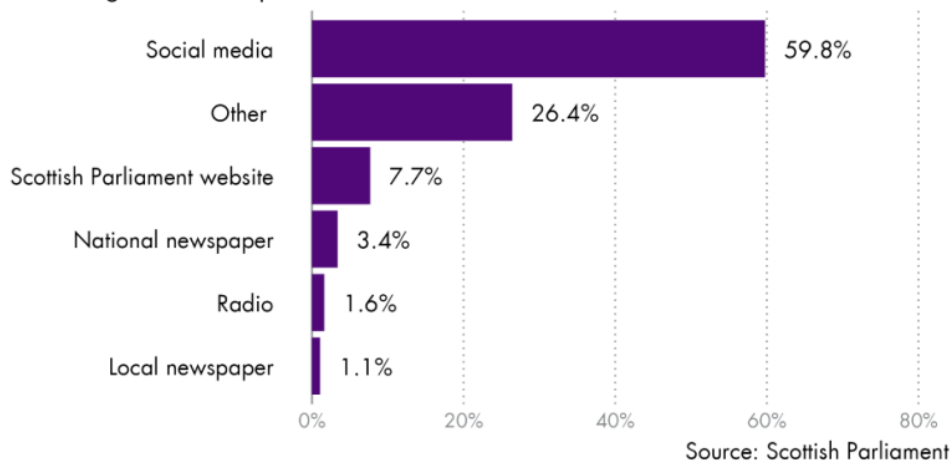
Percentage of total responses



The consultation received considerable interest from outside of Scotland. As the data shows, 15.8% (344) of respondents currently live outside of Scotland.

How did you find out about this consultation?

Percentage of total responses



Respondents were asked to provide information on all the ways they had found out about this consultation. Social media was the most common way respondents had found out about it, representing just under 60% of total responses. Participants who responded that they heard about the consultation through 'Other' means were asked to provide additional information. The most cited other means included word of mouth from a friend or family member, and communications from churches and organisations.

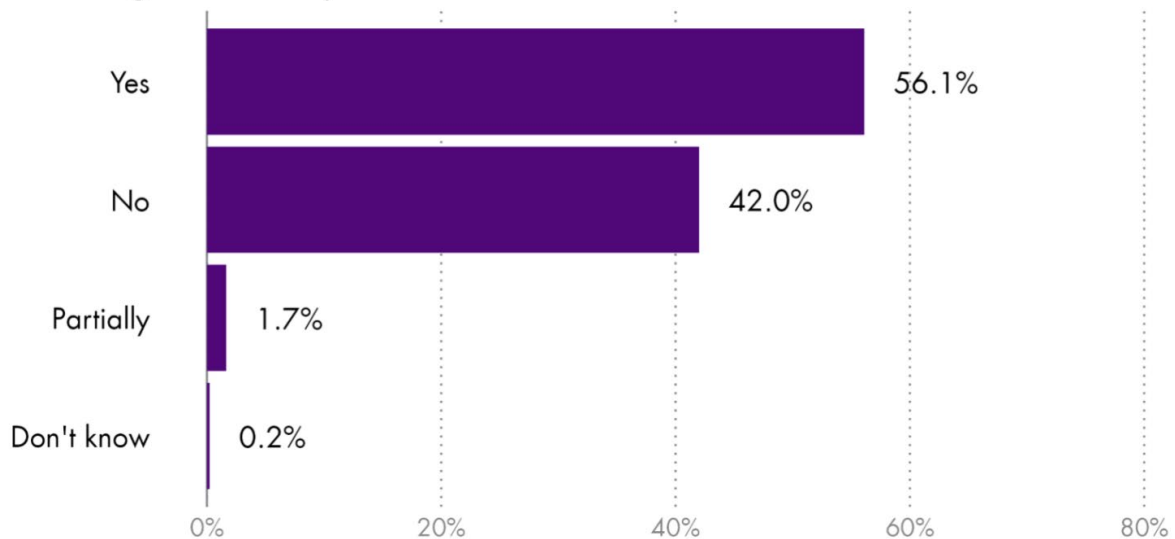
Results: Summary of Responses

For the multiple-choice questions, respondents were asked three questions about the Bill, each with the options “Yes”, “No”, “Partially” and “Don’t Know” available. Respondents were asked an additional question, depending on whether they agreed (Why do you support this Bill?) or disagreed (Why do you oppose this Bill?) with overall purpose of the Bill, where they asked were to tick all reasons that applied from a list provided.

Respondents were also invited to provide comments related to the overall purpose of the Bill and its provisions. The key themes in response to each question are summarised below.

Do you agree with the overall purpose of the Bill?

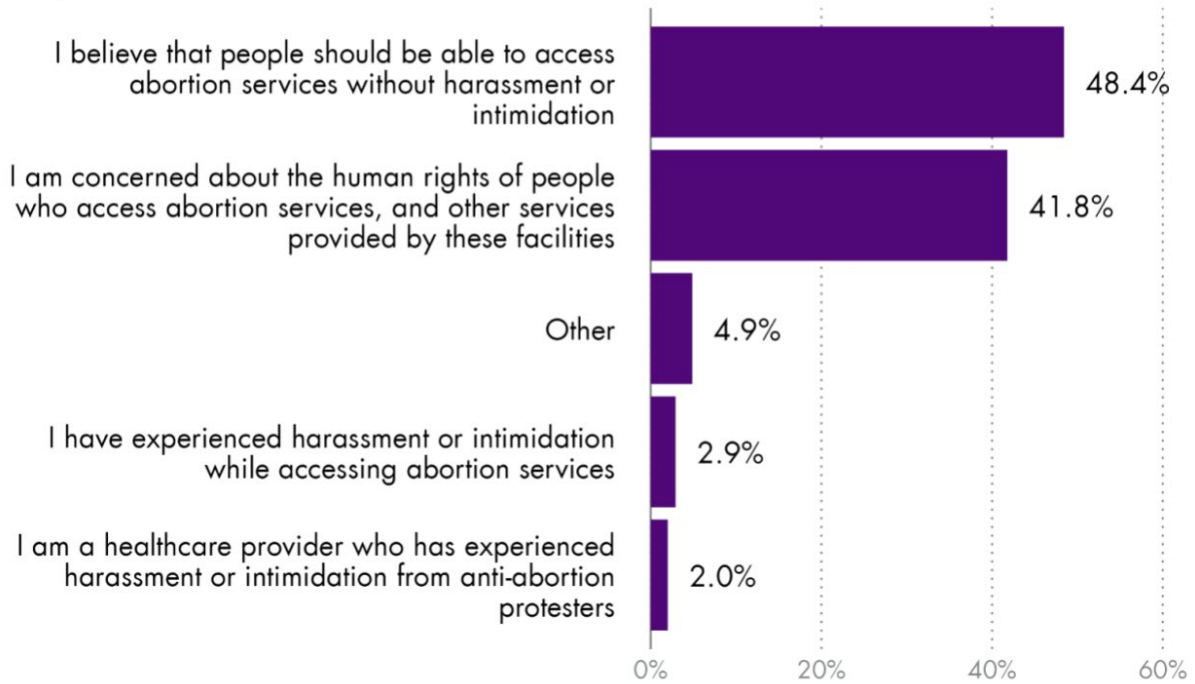
Percentage of total responses



Source: Scottish Parliament

Why do you support this Bill?

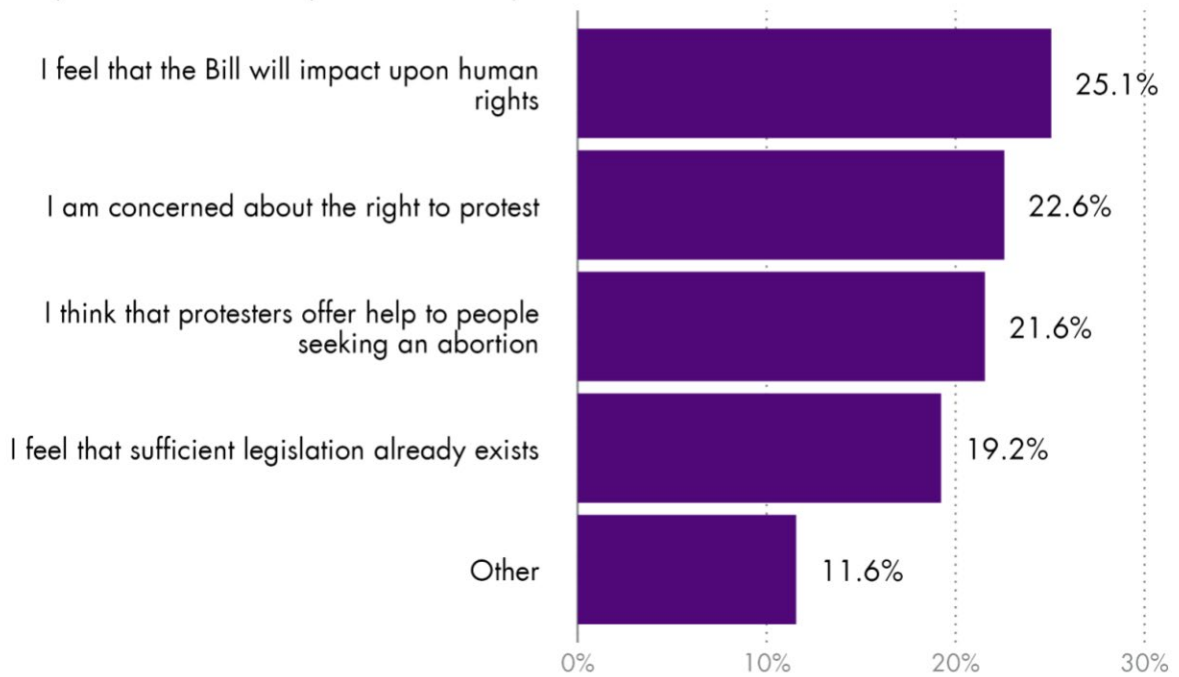
Proportion of total responses to the question



Source: Scottish Parliament

Why do you oppose this Bill?

Proportion of total responses to the question



Source: Scottish Parliament

Why do you support or oppose this Bill?

Why do you support this Bill?

The key themes identified by respondents who **support** the Bill are:

- Respondents believed that accessing, and exploring the option of, abortions can already be a “traumatic” and “distressing” experience for people. Some were concerned that the actions of protestors in the proximity of facilities providing abortion services can further amplify these feelings, making the experience more “unnecessarily difficult” when people are at their “most vulnerable”.
- Several respondents said that they had first-hand experiences of the harassment and intimidation imposed on them by anti-abortion protestors. In some cases, this occurred when accessing unrelated services, and one individual said it was following their first miscarriage.
- Respondents supporting the Bill commented that protesting groups are unaware of the “personal circumstances” that can determine the need for an abortion. Several respondents stated they believe “protestors have no right to be part of [these] decisions” – it is “their body and choice”.
- Respondents supporting the Bill also noted that staff should be able to attend their workplace without fear of “harassment” or “threat” to their wellbeing. Providing “essential healthcare”, respondents noted that these people are under enough pressure without the additional stress caused by protestors.
- Some respondents fear that people accessing abortion services will be presented with “dangerous misinformation” by the protestors. These respondents hoped that the Bill will prevent people accessing abortion clinics from being presented with “disturbing pictures” and “inaccurate propaganda”.
- The Bill will prevent prayers and vigils at an “unnecessary” and inappropriate” location. Some respondents say that there is no need to conduct these acts at clinics and suggest that they “protest outside Parliament” to have their voice heard.

Why do you oppose this Bill?

The key themes identified by respondents who **oppose** the Bill are:

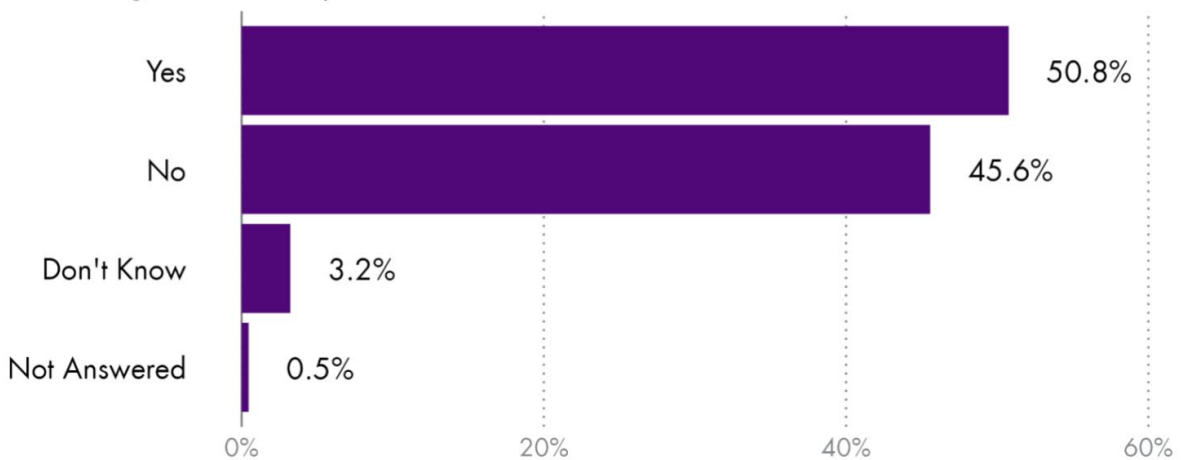
- The Bill proposes to address protests outside places offering abortion services. However, some respondents state that activities are “peaceful prayers” and “silent vigils”, and not protests.
- Respondents opposed to the Bill said that the purpose of “peaceful protests” outside abortion clinics is to help, support and provide information. They

highlighted that women can be provided with a “balanced view of support and alternatives” by “peaceful protestors”.

- In the view of respondents opposed to the Bill, the legislation is “unnecessary” and “disproportionate”, and existing laws are already in place to protect people from harassment and intimidation. Some said that the Bill is “an unjustified restriction of rights in relation to Freedom of Religion, Assembly, Thought and Expression.”
- Some respondents stated they perceive the Bill to be “anti-religion” and “anti-Christian”. Some stated they believe that the proposed Bill is “targeting” Christian people and will “victimise” people of many religions who seek to help women and their families at a difficult time in their lives.
- Some respondents said they oppose the overall purpose of the Bill because they do not agree with the abortion procedure and “the taking of life” that it involves.

Do you agree that the Safe Access Zone radius around protected premises should be set at 200 metres?

Percentage of total responses



Source: Scottish Parliament

I agree

The key themes raised by those who **agree** that the safe access zone radius should be set at 200m are outlined below:

- A safe access zone radius of 200m is a “safe enough” radius as a minimum, to prevent those accessing clinics from encountering “distressing” situations when they are “emotionally vulnerable”. Some respondents state they would “wholeheartedly” support an extension of this radius – for example, to “500m or more”.

- Some respondents who agreed with the 200m zone stated is a good thing that “the Bill allows flexibility to extend or reduce specific safe access zones as necessary.” This is because radiuses beyond 200m may be necessary in some locations, to “allow women to reach the protected premise from reasonable nearby public transport or car parks.”
- Some stated that “Section 8 [which allows Ministers to reduce the range of a safe access zone] requires more clarity”. These respondents felt that the reasons why Ministers will be permitted to reduce any safe access zone radiuses must be made clear. Respondents stated that a “list of factors” must be outlined, so that “reasonable justification”, and not personal agenda, underpins any plans to reduce any safe access zone radiuses.

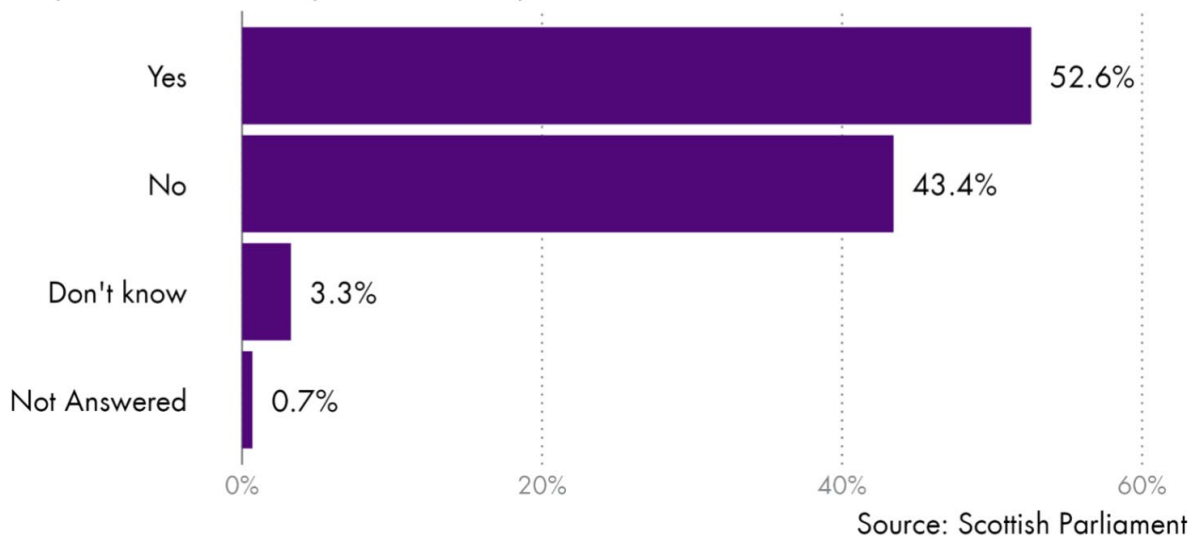
I disagree

The key themes raised by those who **disagree** that the safe access zone radius should be set at 200m are outlined below:

- The legislation is “extreme” as the proposed safe access zone radius is greater than the 150m radius implemented in England and Wales. Some respondents highlighted that Ministers would have the capacity to further extend radiuses – “[this] is more extreme than legislation in England and Wales.”
- Respondents opposed to the 200m radius commented that the proposed Bill has implications on human rights and freedoms – including “freedom of thought and expression, conscience and religion, assembly and association”, and the “right to pray in a public space”. According to those disagreeing with the 200m radius, this is an “infringement on civil liberties” and is “criminalising prayer”.
- The legislation will apply to churches and private property within the 200m radius. Some respondents noted that this will impose on the rights of residents and churches – “So homes and churches within 200 metres of an abortion venue would be unable to display pro-life messages.”
- A small number of respondents raised an issue with the word “safe” in the title of the Bill, as it gives “the impression that people are in danger from these demonstrators which is just not true.”
- Several respondents stated they did not agree with the 200m radius as they believe it should be greater. Some said that 200m is “insufficient to protect those accessing services”.

Do you think the offences in the Bill are proportionate?

Proportion of total responses to the question



I agree

The key themes raised by those who **agree** that the offences in the Bill are proportionate are outlined below:

- Respondents who supported the offences believed the offences outlined in the Bill are proportionate for people who “harass” and “intimidate” people accessing healthcare services and should act as an appropriate “deterrent”. However, this will only be the case if the legislation is “strongly enforced” and fines are issued “without question.”
- Some believed that there should be “harsher” penalties in some cases:
 - Small fines for well-funded organisations could be “ineffective”, thus larger penalties may be needed to serve as an appropriate deterrent for such organisations.
 - Repeat offenders should face harsher penalties, such as “restraining orders for a wider area”, “community service”, and increased fines. The latter may deter large organisations from paying fines issued to individuals.
- Imprisonment for offences was mentioned by several respondents, however there were arguments both against and in support. Some stated that “custodial sentences” may be an appropriate measure for repeat offenders, whilst others said that imprisonment would be “disproportionate” and “too harsh a sanction”.

I disagree

The key themes raised by those who **disagree** that the offences in the Bill are proportionate are outlined below:

- Concerns exist among those disagreeing with the offences that the Bill seeks to criminalise behaviours and actions that should not be “criminalised”, including praying, showing compassion, helping others, and holding beliefs. According to these respondents, criminalising these actions would be criminalising “genuine compassionate people who care about women and children who wish to help women realise that there are alternatives to abortion.”
- Some of those who disagreed that the offences were proportionate considered that human rights would be infringed upon, in particular freedom of thought, speech and religion. Thus, respondents believed they may be criminalised for holding pro-life beliefs.
- Some felt the fines are disproportionate for the nature of the offences. Some stated that the fines are larger than those in place for more serious crimes, and it is “astonishing that the Bill equates these serious offences with acts such as silent prayer, giving out a leaflet or simply holding a placard”.
- Compared to “public order offences” and “fines for physical assault”, some commented that the offences are “vastly larger” and disproportionate. One respondent said it is “unacceptable that the fine for influencing someone over abortion should be more than for physical assault.”
- Some said that “existing laws” are suitable enough, so further restrictions are unnecessary, only serving to “criminalise peaceful pro-life work.” Some respondents indicated that they do not believe the offences in the Bill are proportionate, as they believe tougher sanctions should be in place.

Do you have any further comments to make about the Bill?

I agree with the overall purpose of the Bill

The key themes raised by those who **agree** with the overall purpose of the Bill, when asked to provide further comments about the Bill, are outlined below:

- Supporters of the Bill felt that the introduction of the Bill is “long overdue” and would “bring Scotland into line with other jurisdictions”. Respondents supporting the Bill hoped that safe access zones can be implemented in Scotland “sooner rather than later.” One said:
 - “I am sad we need legislation for this but hospital sites particularly need some stronger defences.”

- Respondents in favour of the Bill felt that women should have a right to individual “choice of care” and, for these respondents, that includes a right to abortion. This is “fundamentally a medical procedure” and healthcare issue, and anyone accessing healthcare should not be intimidated, harassed, or dissuaded. Some respondents noted that the Bill should prevent such treatment of people accessing other services (e.g., sexual health services).
- Some respondents, who recognise that women should be able to access healthcare without fear of intimidation, also recognise that people have a right to prayer and protest. However, they have argued that pro-life protestors should only be allowed to campaign against abortions far away from healthcare services, such as at Parliament:
 - “While there is a right to protest this should be levied at the government or legislative arms of the government not necessarily at the point of access of government provisioned services such as healthcare.”

I disagree with the overall purpose of the Bill

The key themes raised by those who **disagree** with the overall purpose of the Bill, when asked to provide further comments about the Bill, are outlined below:

- Respondents opposed to the Bill felt that the proposed legislation will impinge on people’s rights to free speech, thought and protest. Several respondents said that the Bill would set a “dangerous precedent”, and further “legal overreach” may be forthcoming as a result.
- Some respondents stated that peaceful protests are necessary because women accessing abortions have not been provided adequate information to help them decide that an abortion is their preferred option. Safe access zones would prevent women from receiving vitally important “last minute” help and information.
- Some respondents opposed to the Bill noted that the emotional after-effects of abortion cannot be ignored. Respondents said that abortions can be “harmful and taxing to a women’s mental health” and it would be a “heinous disservice” to prevent people from offering help and support.