



INTEGRATION JOINT BOARD

Date of Meeting	19 November 2024
Report Title	Abortion Services (Safe Access Zones) (Scotland) Act 2024
Report Number	HSCP.24.086
Lead Officer	Fiona Mitchelhill
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Consultation Checklist Completed	Yes
Directions Required	No
Exempt	No
Appendices	None
Terms of Reference	1.c) The IJB Shall consider the following – any other matter that the Chief Officer determines appropriate to report to the IJB

1. Purpose of the Report

- 1.1. This report is intended to inform and update the Integration Joint Board (“IJB”) about the Abortion Services (Safe Access Zones) (Scotland) Act 2024 (“the Act”) and the Aberdeen Health and Social Care Partnership’s (“ACHSCP”) preparations for the introduction of the Act.

2. Recommendations

- 2.1. It is recommended that the Integration Joint Board:

- a) Notes that the Abortion Services (Safe Access Zones) (Scotland) Act 2024 became law after receiving Royal Assent on 22 July 2024;



INTEGRATION JOINT BOARD

- b) Notes the information contained in the report about Act and the implications this has for the IJB and ACHSCP;

3. Strategic Plan Context

The IJB's Strategic Plan identifies four Strategic Aims:

1. Caring Together;
2. Keeping People Safe at Home;
3. Preventing Ill Health; and
4. Achieving Fulfilling, Healthy Lives.

As part of the third of these strategic aims, the ACHSCP hosts Grampian Sexual Health Services. Part of delivering these services is the provision of abortion care.

The legislation highlighted in this report has a direct impact on the delivery of abortion care throughout Grampian. Accordingly, it also has a direct impact on the delivery of strategic aim of 'Preventing Ill Health.'

4. Summary of Key Information

4.1. Background

In May 2022, Gillian Mackay MSP first noted her intention to introduce a Bill to the Scottish Parliament to establish safe access zones around places providing abortion services in Scotland. Following discussions and a conference on the provision of abortion care, the Scottish Government agreed to work with Gillian Mackay MSP on the Bill.

The Bill was first introduced to the Scottish Parliament in October 2023. Following debate and voting, the Scottish Parliament passed the Bill. It received Royal Assent on 22 July 2024 and thus became an Act of the Scottish Parliament.

The Act is intended to ensure that people accessing or providing abortion services are able to do so safely and without harassment. It does this by creating safe access zones around protected premises. The Act makes it a criminal offence to intentionally or recklessly influence, harass or prevent anyone from accessing or providing abortion services in a safe access zone.



INTEGRATION JOINT BOARD

4.2. Protected Premises

'Protected Premises' are the buildings and places in which abortion services are provided. These will either be a hospital or part of a hospital, or a place approved under the Abortion Act 1967 for the provision of abortion services.

NHS Grampian is responsible for a number of protected premises. These are located at

- Aberdeen Royal Infirmary
- Aberdeen Community Health and Care Village
- Aberdeen Maternity Hospital

4.3. Safe Access Zones

Safe access zones include the protected premises and also any public grounds attached to the protected premises and any other public land within 200 metres of the protected premises. This includes the public road and

The Act contains provisions allowing particular safe access zones to be expanded or decreased in size. This is intended to ensure that safe access zones are appropriately sized for their individual locations.

4.4. Prohibited Actions

As noted above, the Act introduces a number of new criminal offences and prohibitions.

The Act makes it a criminal offence for people within a safe access zone to act in a way that might influence the decision of another person to access abortion services, prevent a person from accessing abortion services, or cause harassment, alarm, or distress to a person while they are accessing or providing abortion services.

The Act also makes it a criminal offence for someone within 200 metres of protected premises but not on public land (and therefore not in a safe access zone) to act in a way that might cause harassment, alarm, or distress to someone within a safe access zone who is accessing or providing abortion services, influence their decision to access abortion services, or prevent them from accessing services.

Anyone who commits one of the criminal offences above can be fined. The maximum fines is unlimited if that person is prosecuted under solemn criminal procedure.



INTEGRATION JOINT BOARD

4.5. Enforcement of the Act

The Act first came into force on 24 September 2024. From this date onwards, the prohibited actions noted above became criminal offences.

Police Scotland are responsible for enforcing safe access zones. NHS staff are neither required nor expected to enforce the Act.

4.6. ACHSCP Preparations

There have never been any protests or demonstrations in this context outside any premise operated by Aberdeen HSCP, although there have been demonstrations in the vicinity of NHS Grampian operated premises. Aberdeen Partnership clinical representatives have been actively involved in the development of the Act in recent years via national forums. There are existing mechanisms in place for staff should they need to get support from management or police for any demonstrations,

5. Implications for IJB

5.1. Equalities, Fairer Scotland and Health Inequality

We will review any implications in this context in the act's first year of implementation.

5.2. Financial

There are no financial implications of the Act.

5.3. Workforce

There are no workforce implications of the Act. Staff working in a protected premises or involved in the delivery of abortion Services will have been trained on what to do and how to escalate matters should the need arise

5.4. Legal

There are no direct legal implications arising from the recommendations of this report.

5.5. Unpaid Carers



INTEGRATION JOINT BOARD

There is no direct impact on unpaid carers arising from the recommendations of this report.

5.6. Information Governance

No known issues.

5.7. Environmental Impacts

None

5.8. Sustainability

Not applicable.

5.9. Other

No other implications have been identified from the recommendations of this report.



INTEGRATION JOINT BOARD

6. Management of Risk

6.1. Identified risks(s)

Risks to the Programme that can be recognised at this point prior to mitigation. Any current issues that may affect the programme, including known constraint, assumptions or conflicts that may potentially affect the programme.

Risk	Likelihood/Impact	Mitigation
Financial risk	N/A	N/A
Risks to quality and innovation outcomes	N/A	N/A
Reputational Risk	N/A	N/A
Risks relating to commissioned and hosted services	Low/Medium	Security escalations known to staff if required