

Policy and Sustainability Committee

10.00am, Tuesday, 23 February 2020

Petition for Consideration: Introduce buffer zones around clinics that provide abortion services

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

- 1.1 To consider the terms of the petition 'Introduce buffer zones around clinics that provide abortion services' as set out in Appendix one.

Andrew Kerr

Chief Executive

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Report

Introduce buffer zones around clinics that provide abortion services

2. Executive Summary

- 2.1 The Policy and Sustainability Committee is asked to consider a petition - Introduce buffer zones around clinics that provide abortion services.

3. Background

- 3.1 The City of Edinburgh Council at its meeting on 22 June 2017 agreed the Petitions Committee be discontinued and that petitions would be considered by the responsible executive committees.
- 3.2 The South East Locality Committee at its meeting on 23 April 2018 agreed an emergency motion by Councillor Miller on Buffer Zones. The motion called for a report on the options available to create a wider buffer zone around clinics offering pregnancy and sexual health services in the South East locality in order to ensure patients are able to attend without any impediment or distress.
- 3.3 The South East Locality Committee considered two further reports on this matter at its meetings on 24 September 2018 and 18 March 2019. Both reports are available at section 8.

4. Main report

- 4.1 A valid petition entitled 'Introduce buffer zones around clinics that provide abortion services' has been received. The petition received 4880 signatures.
- 4.2 The petition calls on the Council to call on Joe Fitzpatrick MSP, the Minister for Public Health, Sport and Wellbeing, to introduce buffer zone legislation to protect women, transmen and non-binary people in Edinburgh from harassment outside hospitals and clinics.
- 4.3 As noted above, reports on this matter have previously been considered by the South East Locality Committee. A report on 24 September 2018 provided an overview of options available in Scotland. The report noted that Public Space Protection Orders are not available in Scotland and that overall the decision to ban or place restrictions on a gathering or protest lies almost exclusively with the Police.

- 4.4 A Community Improvement Partnership including representation from the Chalmers Centre, the Royal Infirmary, Police Scotland and the CEC Family and Household Support Service was set up to scope the situation and develop an informed response. The report considered on 18 March 2019 provided an overview of the outcome of this short life working group.
- 4.5 In summary, representatives from the NHS felt that as things currently stood there was no overwhelming evidence to suggest the actions were causing unnecessary distress and as such did not feel the necessity to enact any police measures.
- 4.6 Also of note was the general concern within the group that if any police action were to be taken at this juncture, more attention would be focused on the clinics and those using them, which could inadvertently create unwanted attention resulting in unintended escalation and attention being drawn to the topic.
- 4.7 It was agreed that the representative from the Chalmers Centre would discuss further with senior managers the possibility of developing a more formal feedback process on people's experiences visiting the clinic. This was progressed and a survey developed.
- 4.8 The results of the survey carried out in partnership with the clinic over April, May and June 2020 show that 56% of the people visiting the clinic felt very uncomfortable due to the protesters, 9% thought it was the right of the protesters to voice their opinions. Other responders had not come across the protesters whilst they were visiting the clinic.
- 4.9 Following the survey, the clinic worked closely with the local police to manage the situation and although the Police Liaison Officers had engaged in discussion with both the pro and anti-abortion protesters, they advised that going forward the best course of action would be for the clinic to call 101 should any future issues arise.
- 4.10 Representatives from the NHS also agreed to make further contact with the Council if the situation were to deteriorate. If necessary, a further meeting could be convened as to develop a partnership response.
- 4.11 A wider national response to such protests and the use of Dispersal Orders is also being considered by COSLA.

5. Next Steps

- 5.1 The committee will determine next steps at this meeting.

6. Financial impact

- 6.1 Not applicable.

7. Stakeholder/Community Impact

- 7.1 No stakeholder/ community engagement has taken place at this stage.

8. Background reading/external references

- 8.1 [Minute of the City of Edinburgh Council 22 June 2017](#)

- 8.2 [Motion – Buffer Zones – South East Locality Committee, April 2018](#)
- 8.3 [Motion: Buffer Zones – South East Locality Committee, September 2018](#)
- 8.4 [Minute South East Locality Committee, September 2018](#)
- 8.5 [Buffer Zone Update – South East Locality Committee, March 2019](#)

9. Appendices

- 9.1 Appendix 1 – Petition - Introduce buffer zones around clinics that provide abortion services

Appendix 1 - Introduce buffer zones around clinics that provide abortion services

Date made available for signatures	Date closed for signatures	Petitions Title and Petitions Statement	Wards affected
6 November 2020	16 February 2021	<p>The Back Off Chalmers Campaign wants 150m buffer zones around clinics that provide abortion services in Edinburgh. We are petitioning Edinburgh City Council to call on Joe Fitzpatrick MSP, the Minister for Public Health, Sport and Wellbeing, to introduce buffer zone legislation to protect women, transmen and non-binary people in Edinburgh from harassment outside hospitals and clinics.</p> <p>Anti-choice activity directed at individuals threatens their right to privacy and right to access legal, essential medical services. Patients have reported feeling intimidated and harassed as they try to access medical care in confidence, and that tactics such as praying, rosaries, and medically incorrect leaflets make them feel pressured when accessing abortion and other sexual health services. Women not accessing abortion care are also targeted - with one woman with a pram being told 'she hadn't killed her baby so why would she support abortion', and another being told she would die of cancer for having an abortion in the past. Both sites that provide abortion services in Edinburgh are targeted by protesters - there is no way for abortion patients to avoid them. Current law does not give the police the power to stop this harassment. This isn't a question of stopping these people sharing their view on abortion - it's about saying that the entrance to the clinic or hospital is not the place to do it.</p> <p>We need new legislation to protect the rights of people to access legal, essential medical care without fear of harassment, alarm and distress.</p>	All