

Abortion Services (Safe Access Zones) (Scotland) Bill — Stage 2

After section 3

Meghan Gallacher

51 After section 3, insert—

<Signage for safe access zones

Signage for safe access zones

- (1) An operator of protected premises must display signage which—
 - (a) clearly demarcates the safe access zone for the protected premises,
 - (b) summarises the restrictions which apply by virtue of this Act within the safe access zone and any relevant area relating to the protected premises.
- (2) The operator of protected premises must display the signage under subsection (1) no later than the day on which the safe access zone takes effect.
- (3) The Scottish Ministers may by regulations make provision about the signage to be displayed by operators of protected premises.
- (4) Regulations under subsection (3) are subject to the affirmative procedure.
- (5) In this section, “relevant area” has the same meaning as in section 5.>

Section 5

Meghan Gallacher

52 In section 5, page 4, line 3, at beginning insert—

<(1ZA) The Scottish Ministers may by regulations specify protected premises for the purposes of the offence under subsection (1).>

Meghan Gallacher

53 In section 5, page 4, line 3, after <to> insert <specified>

Meghan Gallacher

54 In section 5, page 4, line 29, at end insert—

<() Regulations under subsection (1ZA) are subject to the affirmative procedure.>

Meghan Gallacher

55 In section 5, page 4, line 33, at end insert—

<() “specified” means specified in regulations under subsection (1ZA).>

After section 5

Rachael Hamilton

46 *Withdrawn*

Rachael Hamilton

56 After section 5, insert—

<Offence of filming a person in a safe access zone

- (1) It is an offence for a person to film any person without their consent if the person does so with the intention of, or is reckless as to whether doing so has the effect of—
- (a) influencing the decision of another person to access, provide or facilitate the provision of abortion services at the protected premises,
 - (b) preventing or impeding another person from accessing, providing or facilitating the provision of abortion services at the protected premises, or
 - (c) causing harassment, alarm or distress to another person in connection with the other person's decision to access, provide or facilitate the provision of abortion services at the protected premises,

where in each case the other person is in the safe access zone for the protected premises for the purpose of accessing, providing or facilitating the provision of abortion services at the protected premises.

- (2) A person who commits an offence under subsection (1) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum,
 - (b) on conviction on indictment, to a fine.>

Meghan Gallacher

57 After section 5, insert—

<Offence of recording etc a person in a safe access zone

- (1) Where subsection (2) applies, it is an offence for a person to—
- (a) sketch,
 - (b) photograph,
 - (c) record,
 - (d) store,
 - (e) broadcast,
 - (f) transmit,

images, audio, likenesses or personal data of any person (P) without their express consent.

- (2) This subsection applies where P is in a safe access zone for the purpose of accessing, providing or facilitating the provision of abortion services at the protected premises.
- (3) A person who commits an offence under subsection (1) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum,

- (b) on conviction on indictment, to a fine.>

After section 11

Tess White

58 After section 11, insert—

<Reporting

Report on safe access zones

- (1) The Scottish Ministers must, for each reporting period, prepare and publish a report setting out—
- (a) in relation to each safe access zone for a protected premises, whether, in the opinion of the Scottish Ministers, the safe access zone has been effective in protecting the safety and dignity of persons accessing, providing or facilitating the provision of abortion services at the protected premises,
 - (b) the impact of the Act on persons engaged in protests and vigils related to abortion services,
 - (c) in relation to each offence under the Act—
 - (i) the number of arrests,
 - (ii) the number of prosecutions,
 - (iii) the number of convictions,
 - (iv) whether, in the opinion of the Scottish Ministers, the penalty for the offence remains appropriate,
 - (d) whether, in the opinion of the Scottish Ministers, the operation of the Act is compliant with the Human Rights Act 1998,
 - (e) such other information as the Scottish Ministers consider appropriate.
- (2) When preparing a report under subsection (1), the Scottish Ministers must consult—
- (a) the chief constable of the Police Service of Scotland,
 - (b) Health Boards,
 - (c) local authorities,
 - (d) such other persons as the Scottish Ministers consider appropriate.
- (3) For the purposes of this section, a reporting period is—
- (a) the period of one year beginning with the day on which section 2 comes into force,
 - (b) each subsequent period of one year.>