

## PARLIAMENTARY BUREAU

### REFERRAL OF DRAFT PROPOSALS FOR MEMBER'S BILLS

#### THE ABORTION SERVICES (SAFE ACCESS ZONES) (SCOTLAND) BILL

1. A draft proposal for an Abortion Services (Safe Access Zones) (Scotland) Bill was lodged on 18 May 2022 by Gillian Mackay MSP.
2. The proposal is for a bill to introduce safe access zones around healthcare settings that provide abortion services.
3. The member lodged a consultation document on 18 May 2022. The consultation opened on 19 May 2022 and will close on 11 August 2022. The Bureau is therefore invited to consider which committee to refer the draft proposal and consultation document to.
4. The proposal falls within the remits of the following committees:

Committee	Remit and relevance
Health, Social Care and Sport Committee	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A):</p> <ul style="list-style-type: none"> <li>• matters falling within the responsibility of the Cabinet Secretary for Health and Social Care and matters relating to drugs policy.</li> </ul> <p>The Cabinet Secretary for Health and Social Care has responsibility for, among other things: NHS primary care, community care and acute services; patient services and patient safety; health improvement and protection; and person-centred care.</p> <p>The draft proposal relates to creation of safe access zones around abortion clinics and healthcare settings that provide abortion services. Those settings are sites provided by NHS boards and the individuals the proposal seeks to establish safe access zones around are NHS patients and NHS staff.</p> <p>For those reasons, this committee's remit is engaged.</p>

Criminal Justice Committee	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A):</p> <ul style="list-style-type: none"> <li>• matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Veterans, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.</li> </ul> <p>The Minister for Community Safety reports to the Cabinet Secretary for Justice and Veterans. The Minister has responsibility for, among other things: community safety; anti-social behaviour; and Violence against women, prostitution and misogynistic harassment.</p> <p>The draft proposal relates to the experiences of women accessing abortion clinics and healthcare settings that provide abortion services.</p> <p>Therefore the committee remit is engaged.</p>
Equalities, Human Rights and Civil Justice Committee	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A):</p> <ul style="list-style-type: none"> <li>• matters relating to equal opportunities and upon the observance of equal opportunities within the Parliament</li> <li>• human rights, including Convention rights (within the meaning of section 1 of the Human Rights Act 1998) and other human rights contained in any international convention, treaty or other international instrument ratified by the United Kingdom</li> <li>• matters relating to civil justice within the responsibility of the Cabinet Secretary for Justice and Veterans.</li> </ul> <p>The draft proposal consultation touches on issues around human rights contained in international treaties or conventions, such as the rights of those accessing healthcare and the rights of those protesting outside sites</p>

	<p>providing abortion services.</p> <p>Therefore, the committee's remit is engaged.</p>
Social Justice and Social Security Committee	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A):</p> <ul style="list-style-type: none"> <li>• matters falling within the responsibility of the Cabinet Secretary for Social Justice, Housing and Local Government, excluding matters relating to local government, housing and planning.</li> </ul> <p>The Minister for Equalities and Older People reports to that Cabinet Secretary and has responsibility for, among other things: women and gender equalities.</p> <p>As such the committee's remit is engaged.</p>

5. The proposal engages the remits of the four committees mentioned above. It is considered that the Health, Social Care and Sport Committee has the greatest interest in this Member's Bill proposal. As such it is recommended that the Bureau refer the proposal to the Health, Social Care and Sport Committee for information only.
6. Lack of formal referral does not prevent any of the other three committees from considering the draft proposal, should they wish to do so.

### **Recommendation**

7. The Bureau is invited to refer the draft proposal on the Abortion Services (Safe Access Zones) (Scotland) Bill to the Health, Social Care and Sport Committee.

### **THE DRUGS DEATH PREVENTION (SCOTLAND) BILL**

8. A draft proposal for a Drugs Death Prevention (Scotland) Bill was lodged on 24 May 2022 by Paul Sweeney MSP.
9. The proposal is for a Bill to enable the establishment of overdose prevention centres, including establishing a licensing framework for centres, in order to prevent death due to drug overdose; and to create a new body for the oversight of drug policy development and implementation, in order to improve health by preventing and reducing drug use, harm and related death.

10. The draft proposal is accompanied by a consultation document which runs from 25 May to 17 August 2022.
11. In terms of Standing Orders (Rule 9.14.5) the Parliamentary Bureau is required to refer the draft proposal to a committee (or committees) within whose remit the subject matters falls.
12. This referral is for information only – there is no expectation that the committee will scrutinise or report on the draft proposal at this stage.
13. The proposal falls within the remit of the following committee.

<b>Committee</b>	<b>Remit and relevance</b>
Health, Social Care and Sport Committee	To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care and matters relating to drugs policy.

14. The subject matter of the proposed Bill relates to the establishment of overdose prevention centres, including establishing a licensing framework for centres, in order to prevent death due to drug overdose; and to create a new body for the oversight of drug policy development and implementation, in order to improve health by preventing and reducing drug use, harm and related death. It therefore engages the parts of the Health, Social Care and Sport Committee's remit relating to drugs and healthcare.

### **Recommendation**

15. The Bureau is invited to refer the draft proposal on the Drugs Death Prevention (Scotland) Bill to the Health, Social Care and Sport Committee.

**Non-Government Bills Unit**  
**May 2022**