



Rt Hon Priti Patel MP  
The Home Secretary  
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Westminster  
London  
SW1P 4DF

Back Off Coalition  
c/o Rachael Clarke  
British Pregnancy Advisory Service  
30-31 Fournival Street  
London  
EC4A 1JQ

7<sup>th</sup> October 2019

Dear Home Secretary,

We are a group of medical bodies, women's organisations, and charities which are concerned by the ongoing damage done by anti-abortion protests immediately outside abortion clinics and supportive of the introduction of buffer zones around clinics to prevent the continuing intimidation and harassment of women seeking medical care and staff delivering NHS services.

We are writing to raise our concerns around the incomplete and inequitable presentation of evidence to your predecessor as part of the review conducted by the Home Office last year, and to ask you to commit to looking again at the issue of abortion clinic protests in light of these concerns.

As you are probably aware, last year the Home Office looked into the impact of activities outside clinics. Many of us responded directly to this review, highlighting the daily distress caused to our members, clients, and staff by anti-abortion activity around the country. This included submissions from respected medical bodies which highlighted the impact on their members' ability to provide high quality care to their patients, more than 1300 accounts of negative experiences outside clinics, and accounts from individuals and staff at multiple clinics where protests have been an issue.

We were, therefore, saddened by the ministerial statement in September 2018 which declined to take action to protect women seeking legal and essential medical care from harassment, alarm, and distress – and based on the wording of the statement we were concerned that the evidence provided to the review team had not been communicated in full to the Minister.

Although we are delighted that the Court of Appeal recently upheld Ealing Council's introduction of a Public Spaces Protection Order to put a stop to clinic-based anti-abortion activity in their borough, we do not believe there is any justification for the postcode lottery that women currently face when accessing care. Since the Ministerial Statement was published in September 2018, 34 clinics in England and Wales have experienced anti-abortion activity, with 5 of these clinics never having

experienced protests before. This is not a problem that starts and ends in Ealing – it is a national problem in need of a national solution.

This month, we have been made aware of a response from the Home Office to a Freedom of Information request (#50345) which included the evidence pack provided by the Abortion Clinic Protest Review (ACP) team to the Minister. Having read this response in full, we are deeply concerned that the evidence provided to the Minister was not reflective of either the information provided, or the experience of thousands of women and clinical staff around the country every year.

Based on the report, we are concerned that no matter the evidence provided, no action was ever expected to be forthcoming. This concern is perhaps best highlighted by a comment relayed by a civil servant in a workshop session: *“there is a need to be seen to do something but don’t actually want to do something”*. The same session compared the systematic and targeted harassment of women outside medical centres to political protests: *“What makes this protest issue different from others? (e.g. Badgers, Fracking)”*.

In relation to the review report, we are particularly concerned that:

- **The experiences of women are consistently underplayed and misrepresented.** The report repeatedly mentions ‘embarrassment’ and women being made to feel ‘uncomfortable’ as opposed to the intimidation and harassment that women report. We know that the database of more than 1300 responses provided mentioned embarrassment only 9 times – a number thoroughly dwarfed by occurrences of the words ‘intimidation’, ‘harassment’, ‘distress’, and being made to feel ‘vulnerable’.
- **The experience of staff and healthcare workers is not mentioned at all** despite submissions from the Royal College of Obstetricians and Gynaecologists, the Faculty of Sexual and Reproductive Health, the British Medical Association, the British Pregnancy Advisory Service, and Marie Stopes UK, all voicing concerns on behalf of healthcare professionals.
- **There is a lack of critical evaluation of claims from anti-abortion protesters.** The report takes as given, for instance, that filming outside clinics is necessary for protesters’ protection and does not examine the breach of privacy that is occurring by filming women accessing medical care. There is also a lack of evaluation of claims that full information is not provided about all options open to women by abortion clinics – despite this provision being mandated and regulated by the Department of Health and Social Care and the Care Quality Commission. The claims of anti-choice organisations about their activity are accepted in the report, despite evidence being provided to the contrary by numerous submissions from respected and reliable sources.
- **The human rights assessment is concerned only with the impact on protesters’ human rights and not on those of the women who are harassed and intimidated at the clinic gate.** The Court of Appeal ruling in *Dulgheriu vs Ealing* from August 2019 makes clear that women accessing abortion care have a reasonable expectation of privacy and that protesters outside the clinics are contravening that right. By contrast, the review report fails to mention women’s human rights at all.

- **There is false equivalence between reports criticising anti-abortion protests and opposing opinions.** The report itself says that the review received 1387 incident reports “where patients, staff and passers-by felt intimidated by pro-life activities”, while the evidence received from one woman who welcomed this activity was given equal space and weight in the ‘impact’ section of the report. No detail is given in relation to the evidence provided by those who supported the introduction of buffer zones – despite submissions to the Review team including hundreds of quotes and statements.
- **The context of international buffer zones has been misrepresented in the review report in comparison to the detailed literature review.** A lack of information is provided about buffer zones that have been upheld around the world with the specific provisions that Back Off have been advocating for – including across Canada and in the Australian High Court.

Based on these shortcomings in the evidence provided to the Minister, we would like to invite you as the new Home Secretary to ask for a full review of the evidence provided and to look again at the possibility of introducing national buffer zones to put a stop to protests at the clinic gate. It is a measure that is supported by many MPs of all parties, more than 150 of whom have signed letters to your predecessors indicating their desire for action.

Ultimately, this is not a question about abortion, but about the ability of women to access legal and essential medical care without fear of harassment or intimidation.

Yours sincerely,

Abortion Rights  
 Abortion Support Network  
 Alliance for Choice  
 Antenatal Results and Choices  
 Aurora New Dawn  
 British Medical Association  
 British Pregnancy Advisory Service (bpas)  
 British Society of Abortion Care Providers  
 Brook  
 Doctors for Choice UK  
 Faculty of Sexual and Reproductive Healthcare  
 End Violence Against Women Coalition  
 Erika Garratt (change.org petition creator)  
 Fatherhood Institute  
 Humanists UK  
 London-Irish Abortion Rights Campaign

Marge Berer, Independent editor, author and  
 abortion rights advocate, London  
 Marie Stopes UK  
 Mumsnet  
 Professor Claire de Than, human rights lawyer  
 Professor Lesley Hoggart, My Body My Life  
 Rape Crisis England & Wales  
 Reclaim Rosslyn Road  
 Royal College of Midwives  
 Royal College of Obstetricians and  
 Gynaecologists  
 Sister Supporter  
 UNISON  
 Universities and College Union  
 Women's Aid Federation of England