



The Scottish Parliament
Pàrlamaid na h-Alba

Rt. Hon Dorothy Bain KC
Lord Advocate,
Crown Office and Procurator Fiscal
Service.

Via email only

Health, Social Care and Sport Committee
The Scottish Parliament
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6 March 2024

Dear Ms Bain,

Health, Social Care and Sport Committee Stage 1 scrutiny: Abortion Services (Safe Access Zones) (Scotland) Bill

I am writing further to the Health, Social Care and Sport Committee meeting on Tuesday, 5 March 2024, where the Committee took evidence on the impact for those who will be responsible for enforcement, and management, of safe access zones as part of the Committee's Stage 1 scrutiny of the Abortion Services (Safe Access Zones) (Scotland) Bill.

During that session, the Committee heard from Simon Brown, Vice-President of the Scottish Solicitors Bar Association. Mr Brown spoke to the Committee about how prosecutorial discretion could be applied in relation to those offences proposed in the Bill and suggested the Committee might want to contact COPFS for further information.

Official Report and recordings of the session

- The official report of the session will be published [here](#) once available.
- The recording of the session is now available on [Scottish Parliament TV](#).

Mr Brown's comments on the above are at 11.12am in the official recording.

Further information

The Committee is writing to you to seek further information on your views of the criminal offences created in sections 4 and 5 of [the Bill, as introduced](#), and, if possible, to ask you to provide further detail of what the COPFS guidelines to Police Scotland on prosecution might entail, given that this will have an influence on police decisions to charge someone with an offence.

Deadline for response

To enable the Committee to continue to progress its Stage 1 scrutiny of the Bill in a timely manner, I would request that you provide this information to the Committee **no later than 5pm on Wednesday, 13 March 2024**.

Yours sincerely,

A handwritten signature in cursive script that reads "CHaughey". The signature is written in black ink on a white background.

Clare Haughey MSP
Convener, Health, Social Care and Sport Committee