

International Comparison of Abortion Safe Access Zones Legislation: Literature Review

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Jurisdictions Considered



- **England and Wales**
- **Northern Ireland**
- **New Zealand**
- **Isle of Man**
- **Australia**
(Tasmania, Australian Capital Territory, Victoria, Northern Territory, New South Wales, Queensland, South Australia and Western Australia)
- **Canada**
(British Columbia, Newfoundland and Labrador, Quebec, Ontario, Alberta and Nova Scotia)
- **United States of America**
(Colorado, Montana, Massachusetts, New Hampshire and Maine)
- **Republic of Ireland – BILL ONLY**

Considerations

- Details of the provisions contained within the legislation.
- The context informing the introduction of the legislation.
- Any challenges encountered during or after the passage of the legislation.
- The impact of the legislation.

1 Details of the provisions contained within the legislation

Safe access zone legislation is characterised by **creating, or providing for the creation of, a protective area around premises where abortion services are provided.**

However, the details of the provisions contained within safe access zone legislation vary considerably between jurisdictions – particularly regarding:

- the method for the creation of the protective areas;
- the size of the protective areas;
- the behaviour that is prohibited within the protective areas; and
- the penalties for violating the law.

2

Context informing the introduction of the legislation

Safe access zone legislation is typically passed in response to concern about current or future protest in the vicinity of premises where abortion services are provided and a desire to ensure good access to abortion services.

The lack of existing legal measures that could adequately deal with protest in the vicinity of premises where abortion services are provided is a common justification for safe access zone legislation across the jurisdictions.

Often, provision for safe access zones is made alongside, or shortly after, broader abortion law reform that liberalises access to abortion services.

The climate of severe anti-abortion violence is unique to the United States of America, though there have been incidences of anti-abortion violence in Australia and Canada.

3 Challenges encountered during or after the passage of the legislation



The most significant challenge encountered both during *and* after the passage of safe access zone legislation has been **achieving an appropriate/satisfactory balance** between the rights of those who wish to protest at clinics and clinic users/staff.



Another challenge has been a **delay** in safe access zones coming into effect outside premises providing abortion services once the legislation has been passed.

4 Impact of the legislation

The availability of evidence on the impact of safe access zone legislation is generally **very limited**, though some academic research on the efficacy of safe access zones has been conducted in Australia. This may be because much of the safe access zone legislation has been passed only very recently.

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