

Sean Reid
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Population Health Directorate
Scottish Government
St Andrew's House
Edinburgh

By email: abortionteam@gov.scot

13th November 2024

Dear Sean

RE: Scottish Government Abortion Law Review

Thank you for your email on 14th October inviting the Royal Pharmaceutical Society to provide written views to the Expert Group. This letter outlines our views.

Royal Pharmaceutical Society is of the belief that it is essential that abortion legislation contains a robust conscience clause, so that pharmacists can decline to prescribe or administer medication for an abortion procedure on moral, ethical, or religious grounds.

Section 4 of the Abortion Act (1967) provides pharmacists with the ability to conscientiously object to participating in any treatment authorised by this Act, which includes prescription and administration of medicine [Section 1, (3B)]. Crucially, pharmacists can object by providing a statement on oath to the effect that they have a conscientious objection to participating in any treatment authorised by this Act [Section 4, (3)]. This is critical to ensuring that a pharmacist will not ever be cross-examined to determine the legal validity of their objection, which could privilege some groups (for example those who can demonstrate commitment to a faith community, over other groups). It is critical that if the Abortion Act (1967) is updated in Scotland, that [Section 4 (3)] remains unedited which ensures pharmacists ability to conscientiously object on moral, ethical, or religious grounds.

The General Pharmaceutical Council (GPhC) has published guidance for pharmacy professionals on religious, personal values and beliefs in relation to the provision of pharmacy services and emphasises that the care of the person is a pharmacist's first priority.¹ Pharmacy professionals have the right to practise

¹ General Pharmaceutical Council. Guidance on religion, personal values and beliefs. In Practice. 2017 Accessed [online](#) 13th November 2024.



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in line with their religion, personal values or beliefs as long as they act in accordance with equalities and human rights law and make sure that person-centred care is not compromised.

Pharmacy professionals should collaborate with their employers and colleagues to ensure their practice aligns with their religious beliefs, personal values, and ethics without compromising patient care. This involves proactively identifying areas of their practice that might be impacted and making necessary arrangements to avoid compromising care. When pharmacists choose to exercise their right to conscientious objection, they must work together with their employers and colleagues to establish any additional steps or alternative arrangements needed to maintain the quality of patient care.

The Act requires that any treatment for the termination of pregnancy must be carried out in a hospital or in a place approved for the purposes of this section by the Secretary of State, which includes licenced clinics. It is essential that any setting which is provided with a licence to carry out abortions has appropriate contingency plans in place to ensure that if a pharmacist exercises their right to conscientious objection that a patient can have access to treatment by their colleagues without any delay to their treatment.

With reference to Early Medical Abortion at Home (EMAH); as medicines are being sent directly to people's homes there needs to be appropriate safeguards in place to ensure the patient receives the necessary support, the medicines reach the right person, are not diverted, are taken appropriately and derive the correct outcome, and support for any adverse events can be identified and given. We are aware that the 2023 evaluation highlighted that EMAH care in Scotland is highly effective. We need to ensure EMAH care continues to be effective. Any legislative steps that could be taken to help ensure this would be welcome.

Yours sincerely,



Johnathan Burton MBE FRPharmS
Scottish Pharmacy Board Chair

