

Abortion Law Review Expert Group  
By email: [abortionteam@gov.scot](mailto:abortionteam@gov.scot)

18<sup>th</sup> February 2025

Dear Professor Glasier,

Subject: Written Views on Offences Related to Abortion

I am writing on behalf of the Royal Pharmaceutical Society in Scotland to provide our views on the topic of offences related to abortion, as invited by the Abortion Law Review Expert Group. We are the professional leadership body for pharmacists. The mission of the Royal Pharmaceutical Society is to put pharmacy at the forefront of patient care with a focus on the safe and effective use of medicines.

Thank you for the opportunity to contribute to this important discussion. We have outlined our views under the headings as set out in the email received on 31<sup>st</sup> January 2025.

**Criminal Offences for Patients:**

One of the key points we have considered is the issue of criminal offences for patients, particularly in relation to the risk of diversion of controlled medicines used for the purposes of abortion i.e. mifepristone, misoprostol. It is crucial to address this risk to ensure that these medicines are used safely and appropriately, without falling into the wrong hands or being misused. We believe that a balanced approach is necessary, one that protects public health and safety while also safeguarding the rights and well-being of patients. It is important to consider the potential consequences of criminalising patients, as this could deter individuals from seeking necessary medical care and support. We recommend that the Expert Group explore measures to prevent the diversion of controlled medicines, without imposing undue criminal penalties on patients. Education and support for both healthcare providers and patients can also play a significant role in mitigating this risk.



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**Dr. Geraldine McCaffrey MRPharmS**

**Criminal Offences for Providers:**

We also consider the risk of the illegal distribution of controlled medicines used for abortion. These medicines are classified as hospital-only and prescription only medicines (POM). It is important that providers have robust policies and procedures in place to ensure the safe and secure handling of these medicines. The illegal distribution of these medicines poses significant risks to public health and undermines the integrity of the healthcare system.

We recommend that the Expert Group review the current measures in place within Scotland, identifying best practice in the safe and secure handling of these medicines.

**Professional Sanctions for Providers:**

We understand that professional standards for hospitals and approved places are within the remit of Healthcare Improvement Scotland. For pharmacists and pharmacy technicians employed in approved establishments and hospitals involved in the provision of abortion services, their practice is regulated by the General Pharmaceutical Council. It is essential to ensure that these professionals adhere to the highest standards of practice to maintain the safety and integrity of abortion services.

We understand that the Expert Group may wish to hear from healthcare and professional regulators to assess the current regulatory standards and inspection regimes in place.

**Criminal Offences for Unlicensed/Unapproved Providers:**

As described above, the medicines used for abortion—namely mifepristone and misoprostol—are POMs and available only to hospitals. We would not anticipate that these would be dispensed outside of hospitals or approved services. If these medicines are distributed outside of these controls, then this would constitute illegal distribution or supply of these medicines.

We recommend that the Expert Group consider strict enforcement against unlicensed or unapproved providers who distribute or supply these controlled medicines. This could include severe penalties and legal action to deter such illegal activities and protect public health.

**Criminal Offences for Coercion:** We consider that there must be safeguards in place to protect vulnerable women and girls accessing abortion services. The law must also safeguard the processes around the safe and effective use of these medicines and prevent diversion. As the professional body for pharmacy we have considered these points from the perspective of the safe and effective use of medicines and other organisations will be better placed to discuss criminal offences in relation to coercion.



Thank you for considering our views on these matters. If we can provide further detail on anything within this letter please do not hesitate to contact us at the above address or emailing [externalrelations@rpharms.com](mailto:externalrelations@rpharms.com) .

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J. Burton', written on a light-colored background.

Jonathan Burton MBE FRPharmS  
Chair of the Scottish Pharmacy Board

